This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

B 439198 DUPL

Digitized by Google

Digitized by Google

AP
2
.U56

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Wm Leffitt

Digitized by Google

UNIV. OF MICH.

United States Hydrographic Office

THE

1840.

Digitized by Google

Digitized by Google

United States Democratic R...

THE

UNITES STATES MAGAZINE

AND

1379

DEMOCRATIC REVIEW.

THE BEST GOVERNMENT IS THAT WHICH GOVERNS LEAST.

VOLUME VII.

CONTAINING THE POLITICAL AND LITERARY PORTIONS OF THE NUMBERS PUBLISHED IN JANUARY, FEBRUARY, MARCH, APRIL, MAY, AND JUNE, 1840.

WASHINGTON, D. C.

PUBLISHED BY S. D. LANGTREE.

1840.

Digitized by Google

Digitized by Google

PREFACE TO THE DEMOCRATIC REVIEW FOR 1840.

THE Democratic Party is now in the crisis of a contest the most important, and the most trying in which it has ever been engaged. Surrounded by the ruins of the exploded systems of anti-popular projects which for so many years have been preying upon the industry, and retarding the prosperity of the country, it has need of a perpetual recurrence to the first principles of its political faith to preserve it firm and unfaltering in that self-denying course of progress and reform which alone can now save it, and save the country.

The great contest in the fall of 1840 will be signalized by the embittered animosity with which all the vast anti-popular interests, which have waxed mighty in the lax administration of our State Sovereignties, will be pressed into service—even to the death—against the Democratic Party, upon the prostration of which depends their own existence, and that of the powerful classes sustained by, and sustaining them.

Under these circumstances, the Democratic Review will continue the discussion and promulgation of those fundamental truths of politics and economy which put the keenest and surest weapons into the hands of their believers. One hundred and forty thousand numbers of such a work as the Democratic Review, which have been already circulated throughout the country, and which, different from the newspaper that is read from day to day, destroyed and forgotten—is generally bound up and preserved for future reference, as well as for present interest and entertainment, give an illustration, the strongest possible to be offered, of the immense importance of continuing and diffusing to the people such an organ of democratic opinion, literature, and politics, and make it an incumbent duty on every person who has this cause at heart to lend his aid in accomplishing this object. The effect it has produced during the last two years, as attested by the united voice of the press throught the country, and the experience of our most prominent friends, wherever the contest of princi-

Digitized by Google

ple has been strongest, proves abundantly that the calculations made at the commencement of this work as to the effect of an argumentative and sustained advocacy of the doctrines and policy of the Democratic Party upon the people have been fully confirmed, and shows that no more efficient means of sustaining and extending sound principles can be devised, than the extensive dissemination of a work which advocates them with reasons addressed to the understanding and common sense of its readers, instead of their passions or their interests.

No material departure from the plan hitherto adopted in this work is contemplated, the general outlines of which will be found in the prospectus already extensively published. The main body of the work will be given up to the discussion either of the great questions at issue before the country, or to general questions of abstract politics of which it is important to diffuse a correct knowledge among the people.

The Portrait Gallery of the American Democracy will be continued; and, whenever practicable, engravings of superior style will accompany the memoirs.

While space cannot be afforded to a regular department for the lighter questions of literature and criticism, the review of books of importance will be continued, and poetry and imaginative literature will be employed, as heretofore, to relieve the graver discussions which constitutes the object and main feature of the work, while every exertion will be made to render the Democratic Review attractive as a periodical, as well as permanently valuable as a political work.

Digitized by Google

THE

UNITED STATES MAGAZINE

AND

DEMOCRATIC REVIEW.

Vol. VII. JANUARY, 1840. No. XXV.

WILLIAM LEGGETT.*

This work comprises a number of political disquisitions, written for the New York Evening Post and the Plaindealer, at the time the author had the editorial management of those prints. A great variety of subjects is of course embraced in its contents, some of them of a temporary nature, though made interesting to readers of this day by the happy manner in which they are treated, but the greater part of that more general and permanent character which renders them worthy of the attention of all men at all times. The extraordinary sensation produced by these discussions at the time they were first uttered has been, no doubt, the main motive of their republication. It was right for the friends of the writer to suppose, that works which had once so signally arrested and impressed the public mind, possessed higher claims to respect, and were endowed with a stronger vitality, than could be imparted to them by any mere contemporaneous, but transient excitement. A mind as original and bold as that of the author, no matter what line of life he had chosen, could never have satisfied itself with a superficial investigation of transient topics. He was formed to stamp his character on all the discussions in which he engaged; to fill the hearts of men with great truths; to walk in advance of his generation; and on all questions of revolution or reform, to guide the feelings of his countrymen by the solemn inculcation of living principles. Accordingly we find in this work lofty and fearless discussions of questions of the highest moment,—questions which concern the people under all forms of political organization,—questions in this country destined for many years yet to agitate its parties. As long, therefore, as men shall be interested in inquiries as to political right and duty, they may recur with fresh profit to writings in which impregnable reasoning is recommended by the most persuasive eloquence.

It was a fortunate thing that the task of selection was committed to so judicious a person as Mr. Sedgwick. He has executed it with due discrim-

* A collection of the political writings of William Leggett, selected and arranged, with a preface, by Theodore Sedgwick, Jr. New York. Taylor & Dodd. 1840.

Digitized by Google

ination and taste. There are some things omitted which might have been embodied in the work, and others retained which might as well have been omitted; but on the whole, he has performed the labor in a manner which must be in the highest degree satisfactory to the warmest admirer of the genius of Mr. Leggett. In the preface he has presented us with a discerning estimate of the moral and intellectual faculties of his friend frankly confessing and deploring his faults, yet vindicating, with an honorable zeal, the many noble qualities of his mind and heart.

This, we believe, is the first attempt in our literary history to sustain the fame of a writer on the strength of contributions made to a daily print. What is prepared for that form of publication, bearing many traces of haste, and relating to subjects of mere momentary importance, usually passes away with the occasion which gave it birth. The labors of an editor, like those of the player, are forgotten with the scene, and, in the majority of instances, he deserves no more. But even if he succeeds in looking beyond the topics of the day,—if he catches a view of questions in the light of eternal principles,—if he is gifted with the power to stir the spirits of men with new thoughts, others alone profit by his exertions and reap the reward of his toils. The scorn, the labor, the poverty is his, but the honor and emolument are snatched away by strange hands. His thoughts, the fruits of patient nights of study, and his language and illustrations, the results of long discipline, become the common property of the world, which every one filches at will, disdaining even the return of an ordinary thanks. He is expected to stand foremost on posts of danger, but come in last for the spoils of success. Every body hopes to use him, yet few care to confess an intimacy. When public abuses are to be assailed, it is his part to begin the assault, but the honor of victory is usurped by those who fought with armor which he had furnished or were covered by his shield. This accounts in part for the fact, that so few men of elevated endowments and honorable ambition engage in a vocation as thankless as it is laborious, and that so few reputations, either literary or political, have been achieved in the walk of the journalist. We know of but one instance, in which the effusions of an editor have stood the test of republication,—that is in the recent attempt of Mr. Fonblanque, editor of the London Examiner. His work, called "England under Seven Administrations," consists of articles furnished to that print, in the course of his labors as its conductor. It was a successful experiment with him, because he is one that to a remarkless clearness and force of intellect, unites a fancy at once delicate and active, the keenest wit, an exhaustless fertility of illustration, extensive reading, and a style which is both vigorous and graceful. Whether this revival of the writings of Mr. Leggett will equally answer the expectations of his friends, is a thing which remains to be tried. Prepared under circumstances so different from those of Mr. Fonblanque, it would be injustice to institute a comparison, though our hope is that their superior boldness and eloquence will ensure as cordial a reception

in this country, as England has extended to the more elaborate and refined productions of the London editor.

Were the merits of this collection less than they are, we should welcome its appearance as the production of a great and good man, of a high-spirited and honest man, who suffered for the sake of his principles, and was not permitted to witness what he so confidently anticipated,—their complete and final triumph. His genius and ardor identified him with a system of unpopular and despised doctrines. This work brings together the scattered portions of that system. It enables us to contemplate the beauty of the whole structure, to test its consistency, to learn its objects, and, from a view of the whole, infer its whole value. If one truth illustrates another, rightly to judge of any man's creed, we must possess it entire. We must discover how this tenet is modified by that; how a principle, dangerous in itself, becomes a salutary rule in its connections, and how a doctrine apparently impracticable is made to work efficiently in combination with correlative and even contrary elements. This is the more important where the exertions of the author were on occasions when no time was given him to prune excrescences, to harmonize results, to trim one part and adapt another, until, as in a formal didactic treatise, the whole assumed a form of beautiful outline and proportion. Mr. Leggett's writings were thrown off on the spur of the moment, yet if we examine them closely, a principle of unity will be found pervading all. They have the consistence, if not the shape of a well-contrived and compacted theory. Few men thought more profoundly than he did, and few brought to their investigations minds of a more logical and consecutive turn. He gave out his doctrines piecemeal, yet it was not in that form they existed in his own mind. Like the earliest teachers of Christianity, and indeed all other truth, he announced what he had to say, satisfied that others would reduce it to that order and harmony in which it was present to his own conceptions.

An additional interest is imparted to his writings, by the fact, that living in times of unusual party excitement, he viewed all questions in the light of great general principles. During his editorship, the most important subjects that can arise under our peculiar form of government were made the topics of ardent debate. An extraordinary man had the control of the destinies of the nation. To a sagacity that was seldom deceived, he joined a firmness that never failed, and an honesty equal to his decision. Full of the spirit of the people, elevated by the people, and relying with unshaken confidence upon the sympathies of the people, he began a reform, the extent of which it is doubtful whether his warmest supporters realized. Of those supporters, however, there was one who saw the result from the beginning, and lent to the movement his energetic, unflinching and undivided aid. Mr. Leggett took the management of the Evening Post shortly after General Jackson assumed the reins of the Federal Government. That journal, controlled by a man of distinguished abilities, one possessed of the finest accomplishments of intellect and the noblest virtues of the heart, was then resting, crowned with vic-

Digitized by Google

tory, from its arduous struggles against the enemies of freedom in our foreign trade. Mr. Leggett continued its assualts upon the odious principles of restriction, as they had been adopted in the internal legislation of the States. He had seen—to convert with some modifications the language he himself used—that the democracy, unmindful of their fundamental axiom, had sanctioned a system of laws, the inevitable tendency of which would be to build up privileged classes, and depress the great body of the community. He saw that trade, not left to the salutary operations of its own laws, had been hampered in every limb by arbitrary statutes; that these restrictions furnished employment to an innumerous army of office-holders, and that the phalanx of placemen was yearly augmented by the multiplication of the oppressive burdens imposed on the people. The power which the government had thus acquired was exerting a most vitiating influence upon politics, and was degrading more and more what should have been a conflict of unbiased opinion, into an angry warfare of heated and hungry partizans, struggling for place. But besides the countless restrictions on trade, he saw the States vieing with each other in dispensing to favored knots of citizens special immunities, and pledging the property of the whole people as security for funds to be lent to those who had already elevated themselves into a privileged class. But of all the privileges which the States were distributing, those seemed the most dangerous to him which conferred banking powers; which authorised certain men to create a worthless substitute for gold and silver; to circulate it as real money, and thus enter into competition with the General Government of the United States, in one of the highest and most important of its functions. There was no end to the disorders which this daring fraud was occasioning. It was placing the measure of value in the hands of speculators, to be expanded or contracted, to answer the suggestion of their selfishness or folly. It was subjecting commerce to continual fluctuations of prices. It was unsettling the foundations of private right, diversifying the times with seasons of preternatural prosperity and severe distress, shaking public faith, exciting a spirit of wild speculation, and vitiating the whole tone of popular sentiment and character. The reform of these abuses seemed to Mr. Leggett an object worthy of his most strenuous efforts. He sought, therefore, to direct the public attention to the fact, that the fundamental principle of government, the principle of equal rights, had been grossly infringed. He sought to show that all the restrictions of trade operate as taxes on the people, place dangerous powers in the hands of the government, diminish the efficiency of popular suffrage, and render it more difficult for popular sentiment to work salutary reforms. He sought to illustrate the general impropriety of all grants of partial privileges, and the peculiar impropriety of exclusive banking privileges. He strove to show that all the legitimate objects of society might easily be accomplished by general laws, operating equally upon all, and that every violation of the sacred rights of men was no less impolitic than unjust. In doing this, he had assumed a position in

Digitized by Google

advance of his generation—a position which he nobly vindicated and triumphantly sustained. He had invaded the domains of time-fostered prejudices. Professed friends were estranged by the unexpected vigor with which they found their party-sanctioned errors assailed; and enemies, startled by the boldness of his theories, thought no terms too gross, and no efforts too mean, to undermine his influence and tarnish his character. He was publicly denounced by the organs, and the official heads of the party whose real principles he so warmly espoused; the agents of the government withdrew their patronage; one by one, the class upon whom his business mainly rested fell away;—without, vituperation was showered upon him on one hand, and menaces of resentment on the other; while within, painful and protracted disease was malignantly invading the sources of life. Yet he shrunk not nor failed. Day after day he poured into the public ear discussions full of strong thought and eloquent appeal. Now chastising parties for their delinquencies, and now defending the claims of the helpless and oppressed; at one time rebuking the insolence of public officers, and at another sustaining by hearty sympathy the character of persecuted men;—this moment, overwhelming his opponents with mingled argument and satire, and that moment rallying his colleagues in tones of stirring eloquence, he kept right on his way, as little seduced by favor as he was terrified by threats. The reason of this was, that there was ever present to his mind a scheme of political doctrine, which impressed him with a despotic consciousness of its truth. It accorded with all his feelings, it moved his deepest convictions; it gave freedom to his powers, promised happiness to his fellows, and so filled and controlled his spirit, that it could only be relinquished with the surrender of that life of which it formed a part. No wonder, then, that "he could not, for the sake of livelihood, trim his sails to suit the varying breeze of popular prejudice," or that he preferred, with old Andrew Marvell, "to scrape a blade bone of cold mutton, to faring sumptuously on viands," procured at the cost of principle. His was a spirit with which it was dangerous to tamper. There was no avenue to his heart by which the schemes of trimmers and time-servers could approach it. He scorned with indignation, alike the profligacy which corrupts and the fraud which abuses the state. He was not of that number of Dalgetty politicians who fight only for the "proviant" or the spoils. He detested the hypocrisy which sought to deceive the people, because it distrusted their sagacity; which would sacrifice justice and candor for the sake of a transient triumph, or strive to acquire power by the alternate adoption and desertion of expedients for the time acceptable to popular election. He loved liberty, rectitude and truth, nor would he for the wealth of worlds have put to the hazard of an after-life of remorse a conscience whose integrity he could as easily preserve unimpaired.

But it is not our design at this time to portray the character of Mr. Leggett. Those who desire to know what he was, we must refer to the beautiful memoir from the pen of Mr. Bryant, published some time

Digitized by Google

since in the pages of this review, and to the generous and discriminate preface of Mr. Sedgwick. We must confine ourselves now, while these volumes are fresh from the press, to such selections as will convey to the reader a better idea of the spirit of the man than any remarks that we could offer.

In the following extract are embodied his opinions of the true functions of Government:

"There are no necessary evils in Government. Its evil exists only in its abuses. If it would confine itself to *equal protection*, and, as heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing."

"This is the language of our venerated President, and the passage deserves to be written in letters of gold, for neither in truth of sentiment or beauty of expression can it be surpassed. We choose it as our text for a few remarks on the true functions of Government.

"The fundamental principle of all governments is the protection of person and property from domestic and foreign enemies; in other words, to defend the weak against the strong. By establishing the social feeling in a community, it was intended to counteract that selfish feeling, which, in its proper exercise, is the parent of all worldly good, and, in its excesses, the root of all evil. The functions of Government, when confined to their proper sphere of action, are therefore restricted to the making of *general laws*, uniform and universal in their operation, for these purposes, and for no other.

"Governments have no right to interfere with the pursuits of individuals, as guarantied by those general laws, by offering encouragements and granting privileges to any particular class of industry, or any select bodies of men, inasmuch as all classes of industry and all men are equally important to the general welfare, and equally entitled to protection.

"Whenever a government assumes the power of discriminating between the different classes of the community, it becomes, in effect, the arbiter of their prosperity, and exercises a power not contemplated by any intelligent people in delegating their sovereignty to their rulers. It then becomes the great regulator of the profits of every species of industry, and reduces men from a dependence on their own exertions, to a dependence on the caprices of their government. Governments possess no delegated right to tamper with individual industry a single hair's-breadth beyond what is essential to protect the rights of person and property.

"In the exercise of this power of intermeddling with the private pursuits and individual occupations of the citizen, a government may at pleasure elevate one class and depress another; it may one day legislate exclusively for the farmer, the next for the mechanic, and the third for the manufacturer, who all thus become the mere puppets of legislative cobbling and tinkering, instead of independent citizens, relying on their own resources for their prosperity. It assumes the functions which belong alone to an overruling Providence, and affects to become the universal dispenser of good and evil.

"This power of regulating—of increasing or diminishing the profits of labor and the value of property of all kinds and degrees, by direct legislation, in a great measure destroys the essential object of all civil compacts, which, as we said before, is to make the social a counterpoise to the selfish feeling. By thus operating directly on the latter, by offering one class a bounty and another a discouragement, they involve the selfish feeling in every struggle of party for the ascendancy, and give to the force of political rivalry all the bitterest excitement of personal interests conflicting with each other. Why is it that parties now exhibit excitement aggravated to a degree dangerous to the existence of the Union and to the peace of society? Is it not that by frequent exercises of partial legislation, almost every man's personal in-

Digitized by Google

terests have become deeply involved in the result of the contest? In common times, the strife of parties is the mere struggle of ambitious leaders for power; now they are deadly contests of the whole mass of the people, whose pecuniary interests are implicated in the event, because the government has usurped and exercised the power of legislating on their private affairs. The selfish feeling has been so strongly called into action by this abuse of authority, as almost to overpower the social feeling, which it should be the object of a good government to foster by every means in its power.

"No nation, knowingly and voluntarily, with its eyes open, ever delegated to its government this enormous power, which places at its disposal the property, the industry, and the fruits of the industry, of the whole people. As a general rule, the prosperity of rational men depends on themselves. Their talents and their virtues shape their fortunes. They are therefore the best judges of their own affairs, and should be permitted to seek their own happiness in their own way, untrammelled by the capricious interference of legislative bungling, so long as they do not violate the equal rights of others, nor transgress the general laws for the security of person and property.

"But modern refinements have introduced new principles in the science of government. Our own government, most especially, has assumed and exercised an authority over the people, not unlike that of weak and vacillating parents over their children, and with about the same degree of impartiality. One child becomes a favourite because he has made a fortune, and another because he has failed in the pursuit of that object; one because of its beauty, and another because of its deformity. Our government has thus exercised the right of dispensing favours to one or another class of citizens at will; of directing its patronage first here and then there; of bestowing one day and taking back the next; of giving to the few and denying to the many; of investing wealth with new and exclusive privileges, and distributing as it were at random, and with a capricious policy, in unequal portions, what it ought not to bestow, or what, if given away, should be equally the portion of all.

"A government administered on such a system of policy may be called a government of equal rights, but it is in its nature and essence a disguised despotism. It is the capricious dispenser of good and evil, without any restraint, except its own sovereign will. It holds in its hand the distribution of the goods of this world, and is consequently the uncontrolled master of the people.

"Such was not the object of the government of the United States, nor such the powers delegated to it by the people. The object was beyond doubt to protect the weak against the strong, by giving them an equal voice and equal rights in the state; not to make one portion stronger, the other weaker at pleasure, by crippling one or more classes of the community, or making them tributary to one alone. This is too great a power to entrust to government. It was never given away by the people, and is not a right, but a usurpation.

"Experience will show that this power has always been exercised under the influence and for the exclusive benefit of wealth. It was never wielded in behalf of the community. Whenever an exception is made to the general law of the land, founded on the principle of equal rights, it will always be found to be in favour of wealth. These immunities are never bestowed on the poor. They have no claim to a dispensation of exclusive benefits, and their only business is to '*to take care of the rich, that the rich may take care of the poor.*'

"Thus it will be seen that the sole reliance of the labouring classes, who constitute a vast majority of every people on the earth, is the great principle of Equal Rights; that their only safeguard against oppression is a system of legislation which leaves all to the free exercise of their talents and industry, within the limits of the GENERAL LAW, and which, on no pretence of public good, bestows on any particular class of industry, or any particular body of men, rights or privileges not equally enjoyed by the great aggregate of the body politic.

Digitized by Google

"Time will remedy the departures which have already been made from this sound republican system, if the people but jealously watch and indignantly frown on any future attempts to invade their equal rights, or appropriate to the few what belongs to all alike. To quote, in conclusion, the language of the great man, with whose admirable sentiment we commenced these remarks, 'it is time to pause in our career; if we cannot at once, in justice to the interests vested under improvident legislation, make our government what it ought to be, we can at least take a stand against all new grants of monopolies and exclusive privileges, and against any prostitution of our government to the advancement of the few at the expense of the many.'"

Mr. Leggett's peculiar views of the policy of granting acts of special incorporations are presented with great force and beauty in this article.

"One of the newspapers which has done us the honor to notice this journal, animadverts, with considerable asperity, upon our declaration of interminable hostility to the principle of special incorporation, and points our attention to certain incorporated institutions, which, according to the universal sense of mankind, are established with the purest motives, and effect the most excellent objects. The ready and obvious answer to the strictures we have provoked is, that it is the means, not the end, which furnishes the subject of our condemnation. An act of special incorporation may frequently afford the persons associated under it facilities of accomplishing much public good; but if those facilities can only be given at the expense of rights of paramount importance, they ought to be denied by all whose political morality rejects the odious maxim that the end justifies the means. It would be a very strained and unwarrantable inference from any remarks we have made, to say that we are an enemy to churches, public libraries, or charitable associations, because we express hostility to special legislation. It would be an unwarranted inference to say that we are even opposed to the principle of incorporation; since it is only to the principle of *special incorporation* that we have expressed hostility. We are opposed, not to the object, but to the mode by which the object is effected. We are opposed, not to corporation partnerships, but to the right of forming such partnerships being especially granted to the few, and wholly denied to the many. We are opposed in short, to unequal legislation, whatever form it may assume, or whatever object it may ostensibly seek to accomplish.

"It has been beautifully and truly said, by the illustrious man who presides over the affairs of our Confederacy, that 'there are no necessary evils in government. Its evils exist only in its abuses. If it would confine itself to *equal protection*, and, as Heaven does its rains, shower its favors alike on the high and the low, the rich and the poor, it would be an unqualified blessing.' But it departs from its legitimate office; it widely departs from the cardinal principle of government in this country, the equal political rights of all, when it confers privileges on one set of men, no matter for what purpose, which are withheld from the rest. It is in this light we look upon all special acts of incorporation. They convey privileges not previously enjoyed, and limit the use of them to those on whom they are bestowed. That special charters are, in many instances, given for objects of intrinsic excellence and importance, is freely admitted; nor do we desire to withhold our unqualified acknowledgment that they have been the means of effecting many improvements of great value to the community at large. Let it be clearly understood, then, that we do not war against the good achieved; but seek only to illustrate the inherent evil of the means. A special charter is a powerful weapon; but it is one which should have no place in the armory of the democracy. It is an instrument which may hew down forests, and open fountains of wealth in barren places; but these advantages are purchased at too dear a rate, if we give them for one jot or tittle of our equal freedom. As a general rule, too, corporations act for themselves, not for the community. If they cultivate the wilderness, it is to monopolise its fruits. If they delve the mine, it is to enrich themselves with its treasures. If they dig new channels for the streams of industry, it is that they may gather the golden sands for themselves, as those of Pactolus were gathered to swell the hoards of Crœsus.

Digitized by Google

"Even if the benefits, which we are willing to admit have been effected by companies acting under special corporate privileges and immunities, could not have been achieved without the assistance of such powers, better would it have been, in our opinion, far better, that the community should have foregone the good, than purchase it by the surrender, in any instance or particular, of a principle which lies at the foundation of human liberty. No one can foretell the evil consequences which may flow from one such error in legislation. 'Next day the fatal precedent will plead.' The way once open, ambition, selfishness, cupidity, rush in, each widening the breach, and rendering access easier to its successor. The monuments of enterprise erected through the aid of special privileges and immunities are numerous and stupendous; but we may yet be sadly admonished

——'how wide the limits stand,
Between a splendid and a happy land.'

But, fortunately, we are not driven to the alternative of either foregoing for the future such magnificent projects as have heretofore been effected by special legislation, or for the sake of accomplishing them, continuing to grant unequal privileges. It is a propitious omen of success in the great struggle in which the real democracy of this country are engaged, that monopolies, (and we include in the term all special corporate rights) are as hostile to the principles of sound economy, as they are to the fundamental maxims of our political creed. The good which they effect might more simply and more certainly be achieved without their aid. They are fetters which restrain the action of the body politic, not motories which increase its speed. They are jesses which hold it to earth, not wings that help it to soar. Our country has prospered, not because of them, but in spite of them. This young and vigorous republic has bounded rapidly forward, in despite of the burdens which partial legislation hangs upon its neck, and the clogs it fastens to its heel. But swifter would have been its progress, sounder its health, more prosperous its general condition, had our law-makers kept constantly in view that their imperative duty requires them to exercise their functions for the good of the whole community, not for a handful of obtrusive and grasping individuals, who, under the pretext of promoting the public welfare, are only eager to advance their private interests, at the expense of the equal rights of their fellow-men.

"Every special act of incorporation is, in a certain sense, a grant of a monopoly. Every special act of incorporation is a charter of privileges to a few, not enjoyed by the community at large. There is no single object can be named, for which, consistently with a sincere respect for the equal rights of men, a special charter of incorporation can be bestowed. It should not be given to establish a bank, nor to erect a manufactory; to open a road nor to build a bridge. Neither trust companies nor insurance companies should be invested with exclusive rights. Nay, acting in strict accordance with the true principles both of democracy and political economy, no legislature would, by special act, incorporate even a college or a church. Let it not be supposed, however, that we would withhold from such institutions the intrinsic advantages of a charter. We would only substitute general, for partial legislation, and extend to all, the privileges proper to be bestowed upon any. The spirit of true wisdom, in human affairs, as in divine,

'Acts not by partial, but by general laws.'

Nothing can be more utterly absurd than to suppose that the advocacy of these sentiments implies opposition to any of the great undertakings for which special legislative authority and immunities are usually sought. We are opposed only to a violation of the great democratic principle of our government; that principle which stands at the head of the Declaration of Independence; and that which most of the states have repeated, with equal explicitness, in their separate constitutions. A general partnership law, making the peculiar advantages of a corporation available to any set of men who might choose to associate, for any lawful purpose whatever, would wholly obviate the objections which we urge. Such a law would confer no exclusive or special privileges; such a law would be in strict accordance with the great maxim

of man's political equality; such a law would embrace the whole community in its bound, leaving capital to flow in its natural channels, and enterprise to regulate its own pursuits. Stock bubbles, as fragile as the unsubstantial globules which children amuse themselves with blowing, might not float so numerous in the air; but all schemes of real utility, which presented a reasonable prospect of profit, would be as readily undertaken as now. That active spirit of enterprise, which, in a few months, has erected a new city on the field lately desolated by the direst conflagration our history records; that spirit of enterprise which every year adds whole squadrons to the innumerous fleet of stately vessels that transport our commerce to the remotest harbors of the world; that spirit of enterprise which seeks its object alike through the freezing atmosphere of the polar regions, and beneath the fervor of the torrid zone, displaying the stars and stripes of our country to every nation of the earth; that active spirit would not flinch from undertaking whatever works of internal improvement might be needed by the community, without the aid of exclusive rights and privileges.

"The merchant, who equips his noble vessel, freights her with the richest products of nature and art, and sends her on her distant voyage across the tempestuous sea, asks no act of incorporation. The trader, who adventures his whole resources in the commodities of his traffic, solicits no exclusive privilege. The humble mechanic, who exhausts the fruits of many a day and night of toil in supplying his workshop with the implements of his craft, desires no charter. These are all willing to encounter unlimited competition. They are content to stand on the broad basis of equal rights. They trust with honorable confidence to their own talents, exercised with industry, not to special immunities, for success. Why should the speculators, who throng the lobbies of our legislature, be more favored than they? Why should the banker, the insurer, the bridge builder, the canal digger, be distinguished by peculiar privileges? Why should they be made a chartered order, and raised above the general level of their fellow-men?

"It is curious to trace the history of corporations, and observe how, in the lapse of time, they have come to be instruments that threaten the overthrow of that liberty, which they were at first effectual aids in establishing. When the feudal system prevailed over Europe, and the great mass of the people were held in vilest and most abject bondage by the lords, to whom they owed strict obedience, knowing no law but their commands, the power of the nobles, by reason of the number of their retainers and the extent of their possessions, was greater than that of the monarch, who frequently was a mere puppet in their hands. The barons, nominally vassals of the crown, holding their fief on condition of faithful service, were, in reality, and at all times, on any question which combined a few of the more powerful, absolute masters. They made kings and deposed them at pleasure. The history of all the states of Europe is full of their exploits in this way; but the narrative of the red and white rose of England, of the contending houses of York and Lancaster, is all that need be referred to for our present purpose. Corporations were the means at last happily hit upon of establishing a power to counterbalance that so tyrannously and rapaciously exercised by the barons. For certain services rendered, or a certain price paid, men were released from the conditions which bound them to their feudal lords, and all so enfranchised were combined in a corporate body, under a royal charter of privileges and immunities, and were termed 'freemen of the corporation.' In process of time, these bodies by gradual and almost imperceptible additions, grew to sufficient size to afford a countercheck to the power of the nobles, and were at last the instruments, not in England only, but throughout Europe, of overthrowing the feudal system, emancipating their fellow-men from degrading bondage, and establishing a government somewhat more in accordance with the rights of humanity.

"But in this country, founded, in theory and practice, on an acknowledgment, in the broadest sense, of the universal right of equal freedom, the grant of special corporate privileges is an act against liberty, not in favor of it. It is not enfranchising the few, but enslaving the many. The same process which, when the people were

debased, elevated them to their proper level; now, when the people are elevated, and occupy the lofty place of equal political rights, debases them to comparative servitude. The condition of things in free America is widely different from that which existed in Europe during the feudal ages. How absurd, then, to continue a system of grants, for which all actual occasion long since ceased, and which are now at utter and palpable variance with the great political maxim that all alike profess! It is our desire, however, in treating this subject, to use no language which may embitter the feelings of those who entertain contrary views. We wish to win our way by the gentle process of reason; not by the boisterous means which angry disputants adopt. It has, in all times, been one of the characteristic errors of political reformers, and we might say, indeed, of religious reformers, too, that they have threatened, rather than persuaded; that they have sought to drive men, rather than allure. Happy is he 'whose blood and judgment is so well commingled,' that he can blend determined hostility to public errors and abuses, with sufficient tolerance of the differences of private opinion and prejudice, never to relinquish courtesy, that sweetener of social life and efficient friend of truth. In a small way, we seek to be a reformer of certain false principles which have crept into our legislation; but as we can lay no claim to the transcendent powers of the Miltons, Harringtons and Fletchers of political history, so we have no excuse for indulging in their fierceness of invective, or bitterness of reproach."

The essential distinction between parties which has existed in this country from the foundation of the Government, and the principles upon which that distinction rests, are thus delineated:—

"Since the organization of the Government of the United States the people of this country have been divided into two great parties. One of these parties has undergone various changes of name; the other has continued steadfast alike to its appellation and to its principles, and is now, as it was at first, the DEMOCRACY. Both parties have ever contended for the same opposite ends which originally caused the division—whatever may have been, at different times, the particular means which furnished the immediate subject of dispute. The great object of the struggles of the Democracy has been to confine the action of the general government within the limits marked out in the constitution: the great object of the party opposed to the Democracy has ever been to overleap those boundaries, and give to the general government greater powers and a wider field for their exercise. The doctrine of the one party is, that all power not expressly and clearly delegated to the general government remains with the states and with the people: the doctrine of the other party is that the vigour and efficacy of the general government should be strengthened by a free construction of its powers. The one party sees danger from the encroachments of the general government; the other affects to see danger from the encroachments of the states.

"This original line of separation between the two great political parties of the republic, though it existed under the old confederation, and was distinctly marked in the controversy which preceded the formation and adoption of the present constitution, was greatly widened and strengthened by the project of a National Bank, brought forward in 1791. This was the first great question which occurred under the new constitution, to test whether the provisions of that instrument were to be interpreted according to their strict and literal meaning, or whether they might be stretched to include objects and powers which had never been delegated to the general government, and which consequently still resided with the States as separate sovereignties.

"The Government of the United States is a limited sovereignty. The powers which it may exercise are expressly enumerated in the constitution. None not thus stated, or that are not 'necessary and proper' to carry those which are stated into effect, can be allowed to be exercised by it. The power to establish a bank is not expressly given, neither is incidental; since it cannot be shown to be 'necessary' to

Digitized by Google

carry the powers which are given, or any of them, into effect. That power cannot therefore be exercised without transcending the constitutional limits.

"This is the democratic argument stated in its briefest form. The aristocratic argument in favour of the power is founded on the dangerous heresy that the Constitution says one thing, and means another. That *necessary* does not mean *necessary*, but simply *convenient*. By a mode of reasoning not looser than this it would be easy to prove that our government ought to be changed into a Monarchy, Henry Clay crowned King, and the opposition members of the Senate made peers of the realm; and power, place, and perquisites given to them and their heirs forever."

His high notions of the dignity of politics, which he regarded as a branch of ethics, because it so intimately concerns the happiness of mankind, and the demoralizing tendency of those partial modes of legislation which degrade it from its noble objects, are enforced in the passages which follow:

"Public moralists have long noticed with regret, that the political contests of this country are conducted with intemperance wholly unsuited to conflicts of reason, and decided, in a great measure, by the efforts of the worst class of people. We apply this phrase, not to those whom the aristocracy designate as the 'lower orders;' but to those only, whether well or ill-dressed, and whether rich or poor, who enter into the struggle without regard for the inherent dignity of politics, and without reference to the permanent interests of their country and of mankind, but animated by selfish objects, by personal preferences or prejudices, the desire of office, or the hope of accomplishing private ends through the influence of party. Elections are commonly looked upon as mere game, on which depends the division of party spoils, the distribution of chartered privileges, and the allotment of pecuniary rewards. The antagonist principles of government, which should constitute the sole ground of controversy, are lost sight of in the eagerness of sordid motives; and the struggle, which should be one of pure reason, with no aim but the achievement of political truth, and the promotion of the greatest good of the greatest number, sinks into a mere brawl, in which passion, avarice, and profligacy, are the prominent actors.

"If the questions of government could be submitted to the people in the naked dignity of abstract propositions, men would reason upon them calmly, and frame their opinions according to the preponderance of truth. There is nothing in the intrinsic nature of politics that appeals to the passions of the multitude. It is an important branch of morals, and its principles, like those of private ethics, address themselves to the sober judgment of men. A strange spectacle would be presented, should we see mathematicians kindle into wrath in the discussion of a problem, and call on their hearers, in the angry terms of demagogues, to decide on the relative merits of opposite modes of demonstration. The same temperance and moderation which characterize the investigation of truth in the exact sciences, belong not less to the inherent nature of politics, when confined within the proper field. The object of all politicians, in the strict sense of the expression, is happiness—the happiness of a state—the greatest possible sum of happiness of which the social condition admits to those individuals who live together under the same political organization.

"It may be asserted, as an undeniable proposition, that it is the duty of every intelligent man to be a politician. This is particularly true of a country the institutions of which admit every man to the exercise of equal suffrage. All the duties life are embraced under the three heads of religion, politics, and morals. The aim of religion is to regulate the conduct of man with reference to happiness in a future state of being; of politics, to regulate his conduct with reference to the happiness of communities; and of morals, to regulate his conduct with reference to individual happiness. Happiness, then, is the end and aim of these three great and comprehensive branches of duty; and no man perfectly discharges the obligations imposed by either, who neglects those which the others enjoin. The right ordering of a state affects, for weal or wo, the interests of multitudes of human beings; and every individual of

Digitized by Google

those multitudes has a direct interest, therefore, in its being ordered aright. 'I am a man,' says Terence, in a phrase as beautiful for the harmony of its language, as he benevolence and universal truth of its sentiment, 'and nothing can be indifferent to me which affects humanity.'

"The sole legitimate object of politics, then, is the happiness of communities. They who call themselves politicians, having other objects, are not politicians, but demagogues. But is it in the nature of things, that the sincere and single desire to promote such a system of government as would most effectually secure the greatest amount of general happiness can draw into action such violent passions, prompt such fierce declamation, authorize such angry criminations, and occasion such strong appeals to the worst motives of the venal and base, as we constantly see and hear in ever conflict of the antagonist parties of our country? Or does not this effect arise from causes improperly mixed with politics, and with which they have no intrinsic affinity? Does it not arise from the fact, that government, instead of seeking to promote the greatest happiness of the community, by confining itself rigidly within its true field of action, has extended itself to embrace a thousand objects which should be left to the regulation of social morals, and unrestrained competition, one man with another, without political assistance or check? Are our elections, in truth, a means of deciding mere questions of government; or does not the decision of numerous questions affecting private interests, schemes of selfishness, rapacity, and cunning, depend upon them, even more than the cardinal principles of politics?

"It is to this fact, we are pursuaded, that the immorality and licentiousness of party contests are to be ascribed. If government were restricted to the few and simple objects contemplated in the democratic creed, the mere protection of person, life, and property; if its functions were limited to the mere guardianship of the equal rights of men; and its action, in all cases, were influenced, not by the paltry suggestions of present expediency, but the eternal principles of justice; we should find reason to congratulate ourselves on the change in the improved tone of public morals, as well as in the increased prosperity of trade.

"The religious man, then, as well as the political and social moralist, should exert his influence to bring about the auspicious reformation. Nothing can be more self-evident than the demoralizing influence of special legislation. It degrades politics into a mere scramble for rewards, obtained by a violation of the equal rights of the people; it pervert the holy sentiment of patriotism; induces a feverish avidity for sudden wealth; fosters a spirit of wild and dishonest speculation; withdraws industry from its accustomed channels of useful occupation; confounds the established distinctions between virtue and vice, honor and shame, respectability and degradation; pampers luxury; and leads to intemperance, dissipation, and profligacy in a thousand forms.

"The remedy is easy. It is to confine government within the narrowest limits of necessary duties. It is to disconnect bank and state. It is to give freedom to trade, and leave enterprize, competition, and a just public sense of right, to accomplish, by their natural energies, what the artificial system of legislative, checks and balances has so signally failed in accomplishing. The federal government has nothing to do, but to hold itself entirely aloof from banking, having no more connection with it than if banks did not exist. It should receive its revenues in nothing not recognized as money by the constitution, and pay nothing else to those employed in its service. The State governments should repeal their laws imposing restraints on the free exercise of capital and credit. They should avoid, for the future, all legislation not in the fullest accordance with the letter and spirit of that glorious maxim of democratic doctrine, which acknowledges the equality of man's political rights. These are the easy steps by which we might arrive at the consummation devoutly to be wished.

"The steps are easy; but passion, ignorance, and selfishness, are gathered round them, and oppose our ascent. Agrarian, leveller, and visionary, are the epithets, more powerful than arguments, with which they resist us. Shall we yield dis-

Digitized by Google

couraged, and submit to be always governed by the worst passions of the worst portions of mankind; or by one bold effort shall we regenerate our institutions, and make government, indeed, not the dispenser of privileges to a few for their efforts in subverting the rights of the many, but the benifecent promoter of the equal happiness of all. The monopolists are prostrated by the explosion of their overcharged system; they are wrecked by the regurgitation of their own flood of mischief; they are buried beneath the ruins of the baseless fabric they had presumptuously reared to such a towering height. Now is the time for the friends of freedom to bestir themselves. Let us accept the invitation of this glorious opportunity to establish on an enduring foundation the true principles of political and economic freedom.

"We may be encountered with clamorous revilings; but they only betray the evil temper which ever distinguishes wilful error and baffled selfishness. We may be denounced with opprobrious epithets; but they only show the want of cogent arguments. The worst of these is only the stale charge of *ultraism*, which is not worthy of our regard. To be ultra is not necessarily to be wrong. Extreme opinions are justly censurable only when they are erroneous; but who can be reprehended for going too far towards the right? 'If the two extremes,' says Milton, in answer to the same poor objection, 'be vice and virtue, falsehood and truth, the greater extremity of virtue and superlative truth we run into, the more virtuous and the more wise we become; and he that, flying from degenerate corruption, fears to shoot himself too far into the meeting embraces of a divinely warranted reformation, might better not have run at all.'"

Of the mode in which Mr. Leggett was sometimes accustomed to reply to the virulent personal attacks of his opponents, let his defence of the "Jack Cade of the Evening Post" bear witness. (Vol. 1, page 125, &c.) As a specimen of happy retort, dignified in its tone, eloquent in expression, persuasive in argument, noble in sentiment, admirable in composition, and honorable in its vindication of a despised man, we know of nothing superior to it in the history of editorial controversy, and regret that our limits prevent us giving it entire.

We cannot close these volumes without joining with Mr. Sedgwick in the expression of regret that their author should have been thus taken away from us in the midst of his labors, with the prospect of improved health, and still more useful and honorable exertion opening full before him; and his faculties, matured by the severest discipline of life, fast ripening into a rich and vigorous maturity. We grieve that we have been deprived of the benefit of his example and instructions; that we have lost the fruits of so many years of patient toil; that the virtues trained in the midst of so much conflict are gone; that there has disappeared from the world a mind capable of stirring it with noble thoughts, so full of lofty enthusiasm, so strong in its integrity, and devoted to the cause of humanity and truth; we lament it, because having borne the burden of the struggle, we wish he could have lived to witness the event; because we would have among us a greater number of bold and disinterested men; because we are unwilling to part with those spirits who scorn tyranny, and love justice; who, impressed with the deep purposes of existence, can give themselves to the noblest truths, that the old, at their departure, may be cheered with the hope of a better future for their children; and the young, at their beginning, encouraged to live in accordance with the free and generous impulses of their hearts.

Digitized by Google

THE SOLEMN DAYS HAVE COME.

I.

The solemn days have come, and, too, the waning year,
The emblem of our lives, with foliage brown and sere;
The Spring is gone, and all its modest, meek-ey'd flow'rs,
Soft winds, and budding trees, and changeful, joyous hours.

II.

Youth and the Spring are gone, and burning Summer's prime
Brought forth its ripen'd stores, with tints of fading time,
And mellow fruit upon the woods, strange thoughts within the head,
And thrilling through the heart the mem'ries of the dead.

III.

The gentle May passed on, with dripping wild-flow'rs crown'd,
And Summer spread his fruits in gladness all around;
But Summer leaves are gone, and Summer birds have fled,
And Autumn's hollow winds moan sadly o'er the dead.

IV.

Above the lov'd, the dead, autumnal winds will sweep,
And o'er my mother's grave the chilling rains will weep;
And by her side, scarce yet in youth's unfolded hours,
Our sister must be laid—the Lily of the Flow'rs.

V.

The flow'r that blooms must fade, the eye that weeps grow dim,
And moaning winds will sing their low, autumnal hymn;
But in the upward depths of midnight's solemn air,
The constant *star* will shine in mildest beauty there.

VI.

And as life's gloom comes down, beyond its utmost bound,
Beyond the shroud, the coffin, and the airless ground,
An *emblem star* to cheer us, like the mother's eye
That watch'd us here, may guide us when we come to die.

G. W. Thompson.

Wheeling, Va.

Digitized by Google

SAPPHO, AND THE FEMALE POETS OF GREECE.

Πολλὰ μὲν ἐμπαλέξας Ἀνύσης κρίνα, πολλὰ δὲ Μοίρους
λείρια, καὶ Σαπφοῦς βαιὰ μέν, ἀλλὰ ῥόδα.

Μελεαγ. Στεφαν.

Entwining many Lilies of ANYTE, and of MŒRO many
Lilies, and of SAPPHO few indeed, but Roses.—*Translation.*

THE old Greeks differed from us widely in that they were idolaters, but they differed perhaps more widely in that they were *Greeks.* and chiefly because, as such, they wanted the institutions of chivalry; for these, although in part derived from, and mainly cherished by christianity, were not wholly evolved from it, still less necessarily, since many Eastern nations are christian, among whom, nevertheless, "the spirit of a gentleman" is an unheard-of thing, and in particular the chivalric reverence for women is wanting. The hereditary character of the Gothic race is doubtless the root of that noble and beautiful tree, the shadow of which protected the weak in an age of violence; but that root was watered by the church; the stem was supported, the branches trained by her care, and the leaves budded and breathed in an atmosphere purified by the doctrine of the Apostles.

During the heroic ages of Greece, a respect for women appears to have obtained, which, however it differed from the fanaticism of modern gallantry, was sufficient to constitute the ground of high female excellence. The affecting acknowledgment of Helen, that never, during her twenty years' residence in Troy, had the brave Hector insulted her by word or look, nay, had protected her from the reproaches of others, is a remarkable proof that the hero, like the knight, deemed courtesy the right of the sex, even in the persons of the frail.

Hector! of all my brothers dearest far,
Since I espoused the Godlike Paris, who
Led me to Troy when first I should have died.
For now already 'tis my twentieth year
Since I came hither—from my country came—
But ne'er have heard from thee harsh word unkind.
For even if any in the court would chide—
Brother-in-law, or sister, brother's bride
Splendidly robed, or if thy mother even,
(Thy father, father-like, was ever kind,)
Thou would'st, with words persuading, them restrain,
By thine own gentleness and gentle words.

Women of honor, too, knew what was the worth of their sex. No wife, not respected and self-respected, could have said with Andromache,—

But Hector! thou art father—mother dear—
And brother:—thou, my young spouse, all in one.

Digitized by Google

Or more, after the rapid and impassioned gallop of the Hexameter:

> But thou, O my Hector! art father and mother beloved,
> And brother; and thou art, moreover, my youth-blooming spouse!

But, after the heroic age, the social estimation of women sunk. Nor any where in Greece was the sex cultivated or even considered, save that in the isles they were not restrained by opinion from self culture, and that in the Doric state of Sparta they possessed a consideration tending, scarcely less than contempt, to brutalize. That Greek women became eminent for genius under such circumstances, shows how vivacious and irrepressible was the genius of the race, in the social analysis of which they expressed the desire,—the instinctive appetences: and the fact that Rome, during the whole of her existence, produced not one rememberable poetess, is a sufficient proof that creative art was not a natural tendency of that people.

Among modern nations, the Italians, Germans, and French, have produced women of high talent and even of profound learning; but it was reserved for England to produce a genuine female poet—to produce one only—Joanna Baillie; for truly the Hemans and the Landon are none such. Exquisite minds were these, but their poetry (so called) may be most fitly compared to the imitative soul-like murmurs that are emitted by some fine-toned instrument, replying though untouched, when a mighty master sweeps near it the strings of his lyre. But Baillie was an artist—philosophic, creative—the christian Sappho—our English Muse of the meditated passions—the mistress, not the slave, of feelings by reflection converted into knowledge.

It is curious to see the contrast between our modern poetesses and the ancient, in respect of (literary) fecundity. Think of reading all that the lamented L. E. L. has so charmingly written, (Mrs. Hemans was an even more voluminous writer of verse,) and then remember that what would fill, without crowding, a page of her works in closely printed quarto, is all that has handed down the name of Sappho to the admiration of more than twenty centuries. An ode—a fragment or two—(preserved as by accident,) and some slender epigrams, have sufficed to make the earthly immortality of the only woman that ever became immortal by the power of poetical genius. Well might she say, "I shall be remembered!"—for that thrice-famous Lesbian was not a solitary instance of genius among the Greek females. The tender simplicity of the virgin Anyte, the energetic conciseness of the "few-worded" but impassioned Erinna, the elegant felicities of Mœn and Nossis, are yet known to us from the specimens preserved in the Anthology. "Entwining," says Meleager, in those verses of his graceful Garland, which we have prefixed to this essay—

> Entwining many Lilies of Anyte, and of Mœro many
> Lilies, and of Sappho, few indeed, but Roses!

We propose to consider in this paper some relics of these gifted women, and shall adopt, as the simplest and most interesting method of

Digitized by Google

setting forth their merits, that of comparing them together; taking a hint from our motto, and aiming as it were to ascertain its correctness, to know whether indeed Sappho was among poetesses as the Rose among flowers—not an important question, perhaps, but the principles by which it must be settled are not unimportant. We will begin with that celebrated "Ode to a beloved Woman," which Longinus, supposed to be high authority, pronounced sublime:

Φαίνεταί μοι κῆνος ἴσος θέοισιν
Εμμεν ὤνηρ, κ, τ, λ.

And first occurs a nice question as to the idea of this composition—In what character does Sappho speak therein? Does she, in her own proper person, utter her own proper and actual feelings, or does she speak in the character of a man? Each hypothesis has its advocates. Those who support the latter argue from the genius and womanly delicacy of the poet. Sappho, they say, knew instinctively, that to place so ardent expressions of love in the mouth of a girl addressing her lover, would violate probability. Whatever might be her own wild and burning experiences, she was too profound an artist not to be aware that in poetry she must speak, not as an individual, but as a woman and a mortal, from and to the common heart of her sex and her race. This ode, or fragment rather, sets forth, they continue, the feelings of a man, who sees another sitting in the sweet neighborhood, and absorbing as it were the low-whispered musical talk, and ravishing laughter of the woman whom to distraction he loves and desires; being not jealous in the sense of suspicion, but absolutely distraught with passion. There are indeed certain forms of words in the text (an adjective and a participle with feminine terminations) which are inconsistent with this idea; but it is supposed that these may be changed for the corresponding masculine forms without detriment to the metre, and with advantage to the sentiment.*

Now we should be glad to admit this reasoning if we could, and we are the more inclined to it, inasmuch as the supposed errors are such as are altogether likely to have crept into the text through the ignorance or prejudice of transcribers, who might have been unable to understand how Sappho could speak in her poems as if she were a man, or who perhaps were influenced by the scandals so long current in Greece. Besides these considerations, the single line of the final (incomplete) stanza rather favours, certainly does not discountenance, our hypothesis. In the copy before us this line reads as follows:

Αλλὰ πὰν τολμαΐόν, ἐπεὶ πένηντα—
Yet every thing a daring *man*, since poor—

Those, however, who adopt the other and received opinion as to this ode, are not unsupported by the serious lesson which it (so considered) is capable of evolving, viz: that of the certain corruption of an imagina-

* *Παντα μ'* for *Πασαν*, in the second, and *'πιδευων* for *'πιδευσα*, in the third, line of the fourth strophe are the changes proposed.

Digitized by Google

tive mind by a sensual religion—of the wretched self contradiction of an aspiring soul which knows not God; which recoiling in disappointment from the merely animal, and not finding the spiritual, (or the world of affections that are *above* nature,) rushes blindly into that dreadful and violent delusion of the senses which is contrary to nature, of which we care not further to speak. Let us, through the medium of a translation, consider the fragment simply as a work of art. There are many fine and scholarly versions of it, but none are accessible to us at this moment but that familiar one by Ambrose Phillips, which appeared first in the Spectator, and approaches (so Addison says) "as near to the original as the genius of our language will possibly allow." We are far from thinking this of our own, though we have tried hard to make it pant like Sappho's sweetly agitated Æolic.

THE ODE TO A GIRL.*

Equal unto the gods doth seem to me,
He that opposite to thee
Sitteth, and sounding sweetly near
Thy voice doth hear.

And thou dost smile desiringly! 'Tis then
Sinks my heart my breast within;
For as I see, of voice no more
I have the power.

But quite my tongue is broken, and a thin
Fire runs quick beneath my skin;
And nothing see mine eyes, and hear-
eth sounds mine ear.

And the cold sweat pours down, and all of me
Tremblings seize. I paler be
Than grass, and, scarce removed from death,
Seem without breath.

Is it sublime, then? Scarcely, and Longinus used the word not very accurately, but it is intense, natural, (rapid as the lightning the succession of feelings, as vivid their expression,) and shows that fine balance of the impetuous emotion by the tranquil subordinating of the same to the creative spirit of the poet, which appears to constitute the true lyrical rapture. This grace of repose, however, depends a good deal on what cannot be translated—the versification; on that Sapphic rhythm, than which it seems impossible to conceive one more suited to express passion, impetuous yet languishing—eagerness, sickened even to death with restraint. To have discovered so fine a harmony is a capital argument of genius. It has been often but vainly imitated in our language. The ripple in the flow of an iambic melody, produced by the interposition of

* The reader should bear in mind that this translation, like the original, is supposed to be *sung* to the music of the Lyre; and unless so chanted and accompanied, ideally at least, must fail of its intended effect.

Digitized by Google

an occasional trochaic line, gives, we think, a better notion of it than English Sapphics, for the measure, as we have said, has never been naturalized in our tongue; and the following strophes, therefore, must not be considered by the reader as a fair specimen of what it can in the native and flexible Greek:

At its outbreak, Sappho's elected measure
Softly flows on, then for a moment pauses;
Then the soul-breathed melody quickly rushes,
Flutters and fainteth.

So a stream that over a smoothed channel
Moveth scarce heard, if but a pebble break it,
Rippling, voice-like murmurs aloud; soon after
Noiselessly gliding.

"To have shrouded," says Henry Nelson Coleridge, "the keenest appetite in the tenderest passion—to have articulated the pulses of animal desire in syllables that burn, and in a measure that breathes, and flutters, and swoons away—this it is to have written immortal verses." This is fine and true, but not all, nor what is most worth saying of "The Fragment;" for it is not to be forgotten that this is not a strain aptly framed to enervate and defile. True poetry is never immoral,—

"And not *unhallowed* was the page
By winged Love inscribed, to assuage
The pangs of vain pursuit;
Love, listening while the Lesbian maid,
With finest touch of passion, swayed
Her own Æolian lute."

Originating (so we render Wordsworth's stanza into prose) in the instinct that impels the poet to extricate from the wildest agitations the element of calmness—to find in the imaginative reproduction of even the fiercest torments of jealousy, a delight that springs from and balances pain—it necessarily contains, for the man miserable enough to understand it, an antidote to his misery; henceforth linked to a soothing melody, and elevated by the sympathy of genius.

A particular merit of this ode is the fidelity to nature in describing the effects of passion when carried to the utmost height of which it is capable in any particular paroxysm. It is a familiar anecdote, which is told by Plutarch, that when Antiochus, the son of Lelerecus, king of Syria, was sick, and even dying of hopeless, concealed love for Stratonice, his father's bride; Ecaristratus, the physician of the court, discovered the nature of the disorder with which the prince was afflicted, by observing in him the concurrence of all the symptoms enumerated by Sappho, at such times as Stratonice entered the apartment: an anecdote easily credible by those who are aware that an eminent English surgeon of the present day is governed in the diagnosis of insanity by keeping in view Shakspeare's delineations of the disease in the cases of Lear and Ophelia.

Digitized by Google

Finally, in regard to the continuity of the movement—that incessant but gradual turning away from the point of departure (but in constant relation to the point of rest, and with a constant tendency to return, and to a completion, as it were, of the circuit—the definition of a poem)—in this respect it is to be observed, that the continuity of this poem is strictly lyrical: namely, is such as is proper to a poem which is meant to be sung with an instrumental accompaniment. And without reasoning upon the grounds of the difference in the treatment hence arising, we will simply remind such readers as may feel inclined to consider the matter further, that the characteristics of the lyrical movement are two. First, the successive links of the chain are unjointed, and become a chain by virtue of the accompaniment, which passes over the intervals as the electric power leaps the intervals in a series of conductors. Secondly, by each particular link, as by a conductor, the *feeling* is *transmitted*, but the thought essentially repeated—causing a pure lyric to seem comparatively poor in the reading.

This may be better understood, perhaps, by comparing the Ode to a Girl with the following little composition, in which a similar feeling is treated in a manner properly *poetical*, as contradistinguished from what is properly lyrical. It will be observed that every step in the movement of this little piece, almost every word, presents a new image or thought; and that the feeling, by virtue of which the whole as a whole, is not developed fully till the close.

Δεδυκε μεν ἀ Σελανα
Και Πληιαδες, μεσαι δε
Νυκτες, παρα δ' ερχετ' ὡρα·
Εγω δε μονα καθευδω.

The moon is set—
The Pleiades—the Night half gone—
The Hour has passed away; and yet
I lie alone!

Here is no enumeration of symptoms, all indicating the same disorder; but there is a story, though of few incidents; a progression; an unfolding—the sentiment by bright degrees its face discovering. We are with the poet in her darkened chamber; we look out with her upon the night-shining sea, and watch the half-moon slowly sinking below the line of the horizon, and the disappearing Pleiades. The night already wanes, and is heard a sigh that makes its lapse significant—"the hour is passed"—and she shares her couch with impatient and disappointed passions.

But the Ode to Venus is, after all, the finest relic of Sappho. It is likewise by far the most difficult to translate. We have tried iambic, trochaic, and anapastic verse, but without being able to satisfy ourselves with any. We put a strophe or two into English Sapphics, but these did not answer; nor do any translations that we have seen so much as afford us pleasure. The very best have a hard, uniform rapidity,

Google

utterly unlike the alternate rush and pause—the *quasi* discords of Sappho's melodized passion—still recurring, and still resolving themselves into music. The following, therefore, must be considered as a mere approximation to a genuine version, of which we think we possess the true idea, though ignorant how to realize it.

THE ODE TO VENUS.

Sitter on th' embroidered throne!
Deathless Venus! Child of Jove,
That weavest wiles! thrice-worshipped one!
I thee implore,
With nor the trials nor disgusts of love
My soul to overpow'r.

Hither come unto me now—
Come! if ever and elsewhere,
Hearing my supplications, thou
Did'st them receive,
And thy sire's palace, at my favored prayer,
Did'st not disdain to leave.

Thee, the beautiful, swift sparrows,
Harnessed to thy golden car,
Bore along, like falling arrows,
Their wings oft waving
Above the shadowed earth, through middle air,
Hither from highest Heaven.

Soon they arrived. But, bending thou
On me thine immortal eyes,
Smiling, did'st ask what was it now
That caused my pain,
And wherefore I had called thee from the skies
To visit me again.

What I would especially
Thou for my wild soul should'st do;
And held in sweet captivity
By what new longing,
To re-ensnare it I endeavored;—"Who,
Sappho! thy love is wronging?

For and if he flee thy call,
Quickly he shall follow thee;
And though he takes not gifts, he shall
Give them unsought;
And even if he love not, love shall be,
Although thou wish it not."

Come again then unto me,
From disquiets free my heart;
And what my soul desires to be
Done for it, do;
In the love-contest, Goddess, take my part,
And be mine ally true!

Digitized by Google

The flight of Venus from Heaven through the air, and the swift flying of the sparrows frequently waving their wings above the dark earth, are one of the most animated pictures. But the ode is chiefly remarkable for its grace of words—that charming propriety in the choice, and, (if we may so express it,) in the handling of language, which is the universal method of poetry; and which, though it be a beauty the most difficult of all to transfer from one speech into another, is yet precisely that most necessary to be preserved in a genuine version.

It may be observed that Sappho possessed what has been called, very properly, the *dramatic* imagination, namely, that which reduces many images to one—expresses many thoughts as one, (the function this of imagination; its result the definition of *poetry*, as distinguished from a *poem*,) by bringing these close to us, by presenting them, that is to say, in such a whole as can be comprehended at once as a whole, and in its parts. It is called so in opposition to the *epic* imagination, or that which accomplishes a like result by throwing its proper images or thoughts into distance; that is, by presenting them in such a whole as can be seen as a whole only when its parts become lost. One of the simplest and most direct instances of the latter is the description of a Greek phalanx, suppose, in the thirteenth book of the Iliad. The following is a translation.

> Bristled the murderous battle with long spears,
> Sharp, which they held; the eyes were blinded by
> The glare of brass, from helmets gleaming bright,
> From breastplates polished new, and shining shields,
> Coming together onward: bold his heart
> Who, seeing this, admired, but trembled not.

Here we have all the glittering circumstances enumerated in the first four lines disappearing in the image presented by the first segment of the fifth, of a brilliant but indistinct mass advancing as one body. Many remarkable examples of the dramatic imagination are to be found in the writings of Simonides, who was reckoned one of the nine Lyric poets. The following inscription for a tomb is one of these; we give the Greek; 'tis but a line and most musical.

> Σᾶμα τόδε Σπίνθηρι πατήρ ἐπέθηκε θανόντι.
>
> This mound o'er Spinther dead his *father* piled.

We have here the force of the imagination involved in, not an image, but an *idea;* and yet, although ideas do tend to the subtile and vague, we have likewise the greatest distinctness, as well of the parts as of the whole; the manifold associations developed are developed clearly and made emphatic; the idea *expressed* becomes poetic so far as those *contained* are not merged, but rendered apparent therein. We shall presently give an epigram of Sappho's, in which this is exemplified in a peculiarly interesting manner.

It is to be understood that our poetess was what we might call the principal of the female academy at Lesbos, that is to say, she taught the

Digitized by Google

Greek maidens poetry, and perhaps philosophy, and the accomplishments of the age. An instructor of either sex was in those days an honored personage; and Sappho, who adored her pupils, was dearly loved by them in return. Indeed, she appears to have been very estimable as a woman, although she did not escape the slanders to which her genius and her fame naturally exposed her. We hear little indeed of her husband, (for she was married,) but her fondness for her child partook of that enthusiasm which marked her general character. Despite the voice of antiquity affirming the fact, it seems very doubtful if she really flung herself, as is generally received, from the Leucadian cliff. Her love for Phaon, admitting that it existed, does not appear to have been otherwise than virtuous, and if it was so fatally violent as is represented, goes a great way to disprove the charge of general laxity of conduct, and in particular of unnatural immoralities. A very beautiful line by her famous lover Alcæus altogether favors this charitable hypothesis:—

ἰοστέφαν', ἁγνα, μειλοχόμειδα Σαπφοῖ.

Violet-wreathed, *chaste*, honey-sweet-smiling Sappho!

The first epithet, the reader will understand, is an elegant way of calling Sappho one of the Muses, whose brows were feigned to be wreathed with the violet. But let us now see with what a felicitous tenderness, covering as with a transparent veil a mournful but serene wisdom, she writes an elegiac inscription for the tomb, we may suppose, of an admired and favorite pupil, dying prematurely in maidenhood. Timas was beautiful and had beautiful hair, the envy of her female companions, who, when she died, cut off as a memento that admired ornament. Sappho seized that circumstance, and merely by her exquisite manner of relating, made it at once significant of the whole story, and suggestive of all the pathetic reflections which a modern poet would most probably have expanded.

FOR THE TOMB OF TIMAS, BY SAPPHO.

This dust is Timas', who dying unwed,
Received Persephone's sad-colored bed;
But from her, dead, did all her comrades fair,
With newly sharpened steel cut off that envied hair.

The use here made of so simple an incident will suggest to the scholar a trait of the Greek nation, viz., the passion for symbols and symbolical acts; and he will likewise deduce the critical corollary that every symbol and every symbolical act involves the dramatic imagination, and may be employed to produce a dramatic effect. The epigram is from the Anthology, and is one of those intended by Meleager when he speaks of the Roses of Sappho in contrast with the Lilies of Anyte and Mœro. The subject treated in this exquisite epigram is often and feelingly dwelt upon by the female poets. To die unmarried, πρὸ γαμοιο, was regarded by the Greeks, as indeed by all the kindred nations, as a great misfortune. The daughter of Jephthah wept her virginity on the mountains; and the most magnanimous of the tragic heroines, self-sacrificed to her

Digitized by Google

sisterly, as the Hebrew girl to her filial, loyalty, was not ashamed to regret that she must die without having known the sweet rites of espousal. The saintliness of celibacy belongs to that class of ideas, so available in modern poetry, which the wisest and purest pagans never knew—derivatives from the spirituality of Christian faith.

We have mentioned Anyte as one of the poets whose writings we intended to compare with those of Sappho. Here is an epicedium by the former on an occasion similar to that of the little poem last quoted.

ON ANTIBIA, BY ANYTE.

I.

Virgin Antibia I lament;
For whom, desiring her, did come
A-many bridegrooms to her father's home;
For beauty and for prudence eminent:
But Fate, anticipating all,
Upon their hopes did ruinously fall.

II.

Virgin Antibia I lament; whom many
Bridegrooms, desiring, sought her father's house:
For beauty and prudence famed; but of them all
Destroying Fate the hopes o'erwhelmed beforehand.

The second translation is literally line for line as in the original. It will be observed that the whole force of the epigram is in the word which in the second translation is rendered *beforehand*, but in the first is better expressed by the word *anticipating*. It obviously involves a conceit, and is therefore an epigram in our modern sense of the word; indeed exactly answers to Johnson's definition—"a short poem ending in a *point*"—or better still to the simile, "a scorpion (in this case not venomous, but) carrying its sting in its tail." Its simplicity has been much admired by critics; and the expression is simple in the extreme, but the thought is not—rather the reverse. Sappho's epicedium, on the other hand, is really simple in the thought, while that at the same time it is (what Anyte's is not) rich, pregnant, like those exuberant tresses of Timas, unbraided, ungemmed, and (what Anyte's again is not) splendid—that is, vivid—in expression, so as that newly sharpened steel shone not more than its naked and illuminated words. But here is something better:

BY ANYTE.

Often upon the lamentable grave
Of the maid untimely dying,
Kleino, the mother, wept her child beloved;
By name to the shade loud crying
Of Philanis: who, the marriage night unproved,
Of Acheron's river crossed the pallid wave.

Beautiful! and most interesting, as a proof how inconsolable then was mother's grief; and why? That it was hopeless, or at least cheerless, while such bereaved thought of that pale river and that mournful land

Google

of the shades, by light and warmth unvisited, by loveless, joyless, restless wanderers flitted over—unsubstantial inhabitants of vacuity—inheritors of disappointment—possessors of emptiness. The following is equally beautiful and affecting; and as the last showed the love-yearning of Greek mothers, so this may exemplify the loyalty, the tenderness and the delicacy of Greek daughters. It also is

BY ANYTE.

For the last time around her father dear
Throwing her arms, Erato said,
In fresh tears dissolving,
"Not long, O father! am I with you here,
And Death already is my dark-blue eye involving,
As I depart in gloomy shade."

A delightful thing that occurs to the student of the Anthology is the development in these little poems of the more delicate traits and domestic feelings, habits, and pleasures of the Greeks, such as escape the grave historian, nor appear in the higher poetry. For example, the female fondness for pet animals is exquisitely displayed in some of the elegiac epigrams, in which the death of these favorites is lamented with a charming grief—half play, half passion, and altogether poetical. Such is the following by Anyte on the death of a favorite Locrian hound:

Ὤλεο δήποτε, Μαῖρα, κ, τ, λ.

I.

In a many-rooted thicket,
Maira! thou art dead at length,
Of glad-voicing hounds the fleetest!
Such the cureless venom's strength,
Which inserted in thy nimble foot
The viper, on his neck adorned with many a spot.

II.

Thou hast perished at last, O Locrian Maira!
The swiftest of glad-voicing hounds;
Thou hast perished alone in the copse many-rooted,
That no more to thy baying resounds:
Such was the force of the venom that ne'er a
Cure would admit for the wounds
Which thy fleet foot received from the viper neck-spotted.

This is serious, (for a dog is a sort of friend,) the interest half human, the vivid painting of the spot and incident very poetical. The two following are in more playful mood, but equally good in their way. They tell the story so well as to require no explanation, and as this is a merit, we won't spoil it:

Ἀκρίδι τᾶ κατ' ἄρουραν ἀηδόνι, κ, τ, λ.

To a locust—the ground-nightingale—
And a cricket—on the oaks that doth dwell—
Myro built a common tomb,
When a virgin tear had shed the maiden,
For, with both her playthings laden,
The stubborn Pluto went home.

Digitized by Google

Οὐκέτι μ' ὡς τὸ πάρος πυκινᾶς πτερύγεσσιν, κ, τ, λ.

Clapping with close-pressed wings, no more,
  Awaking early, shalt thou me
Rouse from my couch as heretofore;
  For coming on thee stealthily,
While thou wert sleeping sure, some ravenous beast
Killed thee, upon thy throat his sudden talon placed.

We have in these partly playful inscriptions for the little tombs of such petty favorites sufficient evidence, perhaps, of that mild vivacity which is the chief peculiarity of Anyte. Yet there are instances even in these trifles of no trifling imaginative power. The following three, of which the first is an epigram proper, are particularly fine, and above Anyte's usual pitch of poesy:

Ἔσταθι τῆδε κράνεια, κ, τ, λ.

Stand thou here,
  Homicidal Cornel-Spear!
Suffer thy brazen point to drip no more
With the piteous gore
  Of enemies!
But, resting in this marble hall,
  (Minerva's lofty dome it is,)
The bravery proclaim to all
  Of the Cretan Echratis!

Ἡνία τοι παῖδες, κ, τ, λ.

The purple reins upon thee, Goat!
  The children put and draw
The rose-band round thy bearded mouth,
    And mock what late they saw—
The contest for the equestrian prize
At the god's temple—nor shalt thou despise
To carry whom a trifle gratifies.

τίπτε κατ' οἰοβάτον, κ, τ, λ.

QUESTION.

Wherefore, Pan! Rustic rude!
  Sitting in the solitary,
Thickly-shaded wood,
  Dost thou play
Upon the sweet-voiced reed?

ANSWER.

  That my heifers may
  On these dewy mountains feed,
  Cropping the beautiful grass-spikes hairy.

But neither our time nor our space permits that we give all of even the too few relics of these poetesses, preserved in the Anthology. We must complete our garland: and as even from the roses of Sappho we felt obliged to select, much more from the Lilies of Anyte. Two more of these we shall cull, for their *characteristic* beauty; nor must we forget Myro,

Digitized by Google

the elegant Byzantine, nor the sprightly Nossis. "A myrrh-breathing, well-flowered, Iris of Nossis, *on whose tablets Love softened the wax*," and "a sweet, unsullied crocus of Erinna" must contribute to our wreath their unwasted fragrance and imperishable bloom.

UPON A ROCK, UNDER TREES, BY A COLD SPRING, INSCRIBED BY THE VIRGIN ANYTE.

Stranger! thy weary limbs refresh upon this stone!
In the green leaves the wind to thee shall rustle sweet.
Drink of the spring at its cold source! for well is known
This rest to them that travel in the scorching heat.

TO NAIS.—BY ANYTE.

See the horned goat: how proudly
  Doth his haughty eye
Roll above his jaws so shaggy—
  Cans't thou tell me why?

Proud he is that on the mountains
  His thick-curled neck,
In her rosy hand, sweet Naïs
  Would so often take.

ON CERTAIN IMAGES CONSECRATED TO THE NYMPHS OF WOOD AND STREAM.—INSCRIBED BY MIRO OF BYZANTIUM.

Nymphs of the forest! virgins of the river!
  Immortal maids, who tread with rosy feet
The deep recesses of the wood for ever!
  Grace and protection unto Cleon mete;
Him who set up to you, O goddesses,
Beneath the pines, these beauteous images.

INSCRIPTION FOR CERTAIN ARMS, HUNG IN THE TEMPLE BY THE LOCRIANS.—NOSSIS.

Those Brettian men, their armor dight
  On shoulders right unfortunate,
Slain by Locrians swift in fight;
  Whose courage these now celebrate;
And in the temples of the god suspended,
Miss not the clumsy thieves whom they of late defended.

FOR THE TOMB OF BAUCIS.—BY ERINNA.

Ye! monumental Pillars! you, my birds!
  Thou! mournful Urn, that holds my slender dust!
To them that come unto my tomb, these words
  Address, and greet them—citizen or Guest.
And that the grave hath me, a bride, declare;
  And that my father calls me Baucis; that I came
Of Tenia (this they know;) and that my fair
  Comrade, Erinna, on this tomb inscribed the same.

Digitized by Google

Erinna was the cotemporary and pupil of Sappho, and in respect of genius yielded only to her mistress. A concise energy of expression marks her style; and the vigorously dramatic imagination displayed in the few specimens that remain to us, shows what reason we have to regret her lost writings. The epitaph, translated as above, may be partly deprived of its force for English readers by the allusions to Greek customs, and we have therefore ventured to give an imitation (of her style more particularly, but indeed of the Greek elegiac epigrams in general) as follows presently; substituting modern allusions, but endeavoring to preserve the antique spirit, and so far as possible, the antique form.

INSCRIPTION FOR THE MONUMENT OF TWO PERSONS ASSOCIATED IN MANY AFFECTING PARTICULARS.

In the same year that first our Myrrha saw
  The light, emerged from those maternal glooms—
Her earliest breath did sweet Erato draw;
  Sisters almost, for sprung from kindred wombs.

Like care, like growth, like tasks, like charms they shared;
  They lived to womanhood, nor died unwed.
But ah! what fate was for these friends prepared?
  Successive brides! they shared the self-same bed!

Both, ere the mother could supplant the bride,
  To one grave from the same sad arms were borne:
Yet be we cheered—in the same faith they died,
  And here both wait the resurrection morn.

Finally, we heartily commend to those who have even "small Greek," the study of these exquisite poems in the original, as the best way any of us can have of counteracting for ourselves the enervating tendencies of the sort of literature that appears to prevail just at present. It is fortunate, indeed, for the world, that treasures which some minds *will* not neglect are walled off by that difficulty of a dead language;—to those who surmount it, but the condition of labor, without which is no true manliness—without a delight in which the love of literature is but a sickly appetite. We must close this too long article; having omitted many things, and in particular a vindication, on moral and philosophic grounds, of the Sapphic poems, as being a necessitated expression of genuine and *human* passion; a necessary step in the imaginative progress of the soul to the ultimate mystery of Love, wherein the dissatisfied and unsatisfiable appetites, at first exciting, then blending with, shall at last be consumed by the spiritual affections, so accomplishing the destiny of the heart—so attaining its final repose.

Digitized by Google

FRANCESCO FRANCIA BEFORE THE ST. CECELIA OF RAPHAEL.*

"Aber wie soll ich der heutigen Welt die Empfindungen schildern, die der ausserordentliche Mann sein inneres Zerreissen fühlte. Es war ihm, wie einem sein müszte, der seinen Zeit Kindheit an von ihm entfernten Bruder umarmen wollte, und statt dessen einen Engel des Lichts vor seinen Augen erblickte. Sein Inneres war durchbont; es war ihm, als sänke er in voller Ueberzengung seines Herzens vor einem höhern Wesen un die Kniee."

"Alle die unendlich mannig faltigen Bildungen, die sich in seinem mahlerischen Sinn bewegt fühlten, und in Farben und Linien auf Leinwand zur Würklichkeit übergegangen waren, fuhren jetzt mit verzerrten Zügen durch seine Seele, und waren die Plagegeister, die ihn in seiner Fieberhitze ängstigten. Ehe seine Schüler es sich versahen, fanden sie ihn todt in Bette liegen."—*Wackenroder.*

The warm light of the clear Italian sun
Streamed richly through the painter's shadowed room,
With the soft glow of its ethereal gold
Lighting the mellow twilight. In the flood
Of its soft, yellow radiance, brightly rose,
Like an unearthly vision, on the sight,
That dream of beauty which the painter's hand
Had traced upon the canvass. In the glow
Of dazzling splendor had the pencil of
The great magician warmed it into life—
A fairy vision,—and the softened light
Around the coloring of its features played,
As in the unreal radiance of a dream—
A halo of dim glory!

* The story upon which this sketch is founded is as follows: Francesco Francia, a painter of Bologna, whose pictures were celebrated throughout Italy, and who had cherished in his bosom the hope of imperishable fame, received from Raphael a St. Cecelia which had been painted by that artist for the Church of St. John in Bologna, accompanied by the request that he would have it properly erected in its place, and if he perceived any faults in the composition, as a friend, to correct them. The picture having been received in his absence, his pupils had placed it in the most advantageous light in his room; and when he entered and gazed upon that "Angel of Light," (never having seen a picture of Raphael's before,) he was so struck with his own insignificance that he received a shock from which he never recovered. His pupils shortly after found him lying dead in his bed.

Digitized by Google

In the gloom
Of the apartment stood fair groups of young
And beauteous scholars, gazing silently
Upon that bright creation; and the eye,
Bright with the sunlight of the enraptured soul—
The rich cheek, glowing with the deepening rose,
Just from the heart up-gushing—and the thin,
Expanded nostril, and the outstretched hand,
Silently pointing to the picture, told
The deep enchantment of those beings who
Had early thrown, as worthless, far away,
Life's duller pleasures, and had cherished all
The deathless visions of their youthful dreams,
And gathered to the chambers of their souls,
As to a rich and glorious treasure-house,
All forms of beauty, and had stored them there—
Feasting on loveliness.

Before them stood,
Baring, in the dim light, his silvered brow,
The master. Silently he stood and long,
As if a phantom of the glorious past
Had risen radiantly before his eyes—
As if the portals of eternal light
Had opened to his vision, and he seemed
To hear a siren singing, as he stood
Entranced and spectre-smitten. All his hopes
Of immortality were suddenly
Dashed from before him, as a fairy dream
Vanishes in the morning light, or as
The low and dying music which we hear
In the dim midnight slowly fades away,
While yet we long for its faint melody,
So undefined, unsated; and he sunk
Suddenly from his soaring height, as falls
An eagle, quick down-stricken from its flight
Up to the noonday heaven. In his soul
There was a tumult, as when from the heart
Ebbs hurriedly the life-blood, and bright forms
Flitted in their ethereal beauty there,
Around about him, with their rainbow hues,—
Dim, ghastly spectres of the smiling ones
Which in his own ideal world so long
Had dwelt 'mid its effulgence. Long he gazed
Upon that blaze of beauty, and then turned

Digitized by Google

Him slowly from its sunny light away,
Heart-broken—wrecked in spirit! On his couch
They found him wrapped in Death's deep slumber.

Oh!

How strangely fashioned is the human heart,
With its deep mysteries! It beareth up
Under the burden of pale want, and still
Urges us on to mighty deeds, that may
Win us a deathless name—to toil alone,
At midnight, by the dim lamp's glimmering light—
To waste the spring-time of our early years
In ceaseless strivings—all to win a name,
Which, when 'tis won, is—what?—a hollow tone—
The requiem of our deathless dreams and all
Our glorious aspirations—a low sound
Which warns us that our days were spent in vain!
Crushing the sweet and early blossoms which,
Unnurtured, in the glad heart would up-spring,
With all their pure, fresh fragrance, and to cast
The holiest affections from our souls
To clasp the vague form of a hollow dream!

RAPHAEL.

November, 1839.

ORGANIZATION OF THE HOUSE OF REPRESENTATIVES.

THE following paper, drawn up by Mr. Garland, Clerk of the House of Representatives, will be found worthy of attention, from the clear view which it presents of the Common Law of Parliament, as applicable to the organization of the House of Representatives. This is the same document of which so many erroneous ideas are afloat, in consequence of the severe denunciation which the Whigs at the commencement of the present Congress bestowed upon it in advance, in order to prevent its being read. Instead of the "partisan diatribe concocted by a presumptuous subordinate,"* which it was described to

* "*Presumptuous subordinate.*" This language, applied by a member of Congress to the Clerk of the House, is something more than mere calling of names. The public sense will reprove in it not alone the indecency of the expressions—for that soils only him who uses it—but the higher offence in this country of attempting to stigmatize a man's occupation, and the necessary implication of the words that there are some positions and employments which, for the time being, render one

Digitized by Google

be by those who neither knew nor would know any thing of it, it will be found to be a judicial and historical investigation of a question possessing the highest national interest, and executed in a manner to which no one of those who so clamorously denounced it can take exception.

We preserve it with pleasure in the Democratic Review, not merely for the enduring interest of its subject, but because of its bearing upon the New Jersey question, which has so strongly engrossed the public attention, and with the merits of which our readers are already fully acquainted. Fortunately, as one fruit of its painful experience in this matter, the country now is able to judge exactly how far the course here proposed to be pursued was right—how far it would have been best as an alternative, and how justly it will compare with the method proposed, and tried by the Whigs, in the great essentials of moderation, propriety, justice, and efficiency.

Congress having adopted no general law to ascertain the title of those who claim a seat in the House of Representatives, nor any rule to organize the House itself in the meaning of the Constitution, the following investigation is undertaken, with a view of eliciting from former precedents in past usage, those general principles of parliamentary law which should be received and acknowledged until modified by positive enactment.

The Commons House of Parliament in Great Britain, from time immemorial, has been organized after the strictest mode of legal processes. Whenever a Parliament was to be called, the King gave warrant to the Lord Chancellor to summon the Lords Spiritual and Temporal, and to issue writs of election for the several counties, cities, and boroughs, directed to the sheriffs of the same. By virtue of this authority, the sheriffs sent their precepts to the election officers, commanding them to hold elections in those places entitled to representation in Parliament. Returns of the elections in the form of indenture were sent to the sheriff, and by him attached to the original writ and forwarded to the Crown office, whence they originated, and were there filed.

From these, in one authentic book, the names of all the knights, citizens, and burgesses were certified to the Clerk of the House of Commons, on the day the writs were returnable, (being the day for the meeting of Parliament.) The Lord Steward of the King's household, in an ante-room, attended by the Clerk of the Crown and Clerk of the Commons, with the rolls of such names of the Commons as were returned, commanded the rolls to be called, and those who answered to

---

man above another, and better than another. There is in this light something in the use of such contemptuous expressions, that strongly tends to show how far some people might forget themselves, morally and politically, did not the perpetual check of public opinion at once apply the corrective by making them ridiculous.

Digitized by Google

their names received the oaths required by law. This ceremony completed, the members took their seats in the House, and waited a summons from the King to come into his presence. After hearing the King's speech, leave was then granted them to assemble in their usual place of meeting, and to make a choicè of one from among themselves to be their "*mouth and Speaker.*" The nomination was generally made by one of the King's officers, and agreed to without a division; if, however, others were named, the House proceeded to the question, and directed the Clerk "sitting at the Board, (as the order is before the Speaker be chosen,) to make the question."

From this mode of procedure, two important conclusions are to be drawn: first, that the Commons were regularly organized and constituted a House, capable of propounding and deciding questions before the election of a Speaker. When the roll had been called, members had answered to their names, taken the oaths prescribed by law, and seated themselves in their *usual place of meeting*, there was then a House of Commons. The appointment of one to be their *mouth-piece* was important for their own convenience, but not necessary to constitute a House. There were *Parliaments before Speakers* is an ancient and significant phrase. Indeed, we are told by historians that at first there were no Speakers; but some person was selected as "Spokesman," for each particular occasion; that then the same individual was nominated for the entire session—*qui avait les paroles par les Communes;* and not until the time of Richard II. was he styled *parlour pur les Communes*, or Speaker of the Commons. A memorable case occurred in the time of James II. in 1678, when the Commons were without a Speaker for an entire week, and at last prorogued without having made an election. They at first had selected Sir Francis Seymour, and presented him to the King for confirmation, supposing the ancient usage in that respect to be a mere ceremony; but the King, wishing to test the strength of his prerogative, refused to sanction the nomination. They then returned to their own House without any one at their head, Sir Francis not making his appearance. This occurrence was on Friday, and until the next Thursday, the House were engaged in long and warm discussions on various subjects, adjourning at the same time from day to day. Propositions were made to appoint a chairman, and rejected. Committees were appointed to hold conferences with the King; others with the House of Lords; others again to search the records for precedents to guide their proceedings; and after a week thus spent in fruitless efforts, they were disbanded, without coming to a conclusion among themselves, or an agreement with the King. This case is to be found in Grey's Debates, vol. 6, page 404.

The old Colonial Assemblies, having the British Parliament as a model, were organized in the same way; and our State Legislatures also, varying only in a few unimportant particulars. Whenever, at the time appointed, members presented themselves at the seat of government, assembled in heir *usual place of meeting*, took the oaths prescribed by law, and ascer-

Digitized by Google

tained a *quorum* to be present by the calling of a roll—there was then duly constituted a House, competent to entertain and decide all propositions touching the privilege of members, the claim to contested seats, and whatever else might appertain to their more complete organization. There are doubtless many gentlemen here present who remember cases similar to the one referred to in the British Parliament, where their own Legislatures were engaged for days in discussing and deciding questions before the election of Speaker, that office being regarded, as it undoubtedly is, a mere instrument, a labor-saving machine to themselves.

The *second* conclusion to be drawn from an observation of the mode of organizing Parliament, is the extreme liability to fraud, and the imposition of spurious members. None but those whose names are recorded on some return, filed in the Crown office, are permitted to take their seats. It is obvious, therefore, that two officers alone, or either one—the Sheriff of the county, who makes the return, and the Clerk of the Crown who files it—have it in their power to make such returns as they please. Perceiving the great advantage he possessed, the King, at an early period, attempted to interfere and dictate who should be returned to the Commons. In 1603 Sir Francis Goodwyn was elected from the county of Berkshire, returns were made in due form, and sent to the Crown office; the King pronounced him ineligible, and ordered the Chancellor to issue a new writ, which was done. Sir John Fortesque, one of the King's Council, was elected, the returns filed, and his name placed on the rolls of Parliament.

The sturdy and free-hearted yeomanry of those old days promptly resisted this procedure, and in process of time succeeded in wresting from the King his assumed prerogative of interfering with the returns of members filed in his office of chancery. Driven from this strong-hold, he resorted to the next, which proved to be the most vulnerable point. By means of secret agents and emissaries, he completely effected his object, in bribing and suborning the sheriffs and their assistants. The books of law, and the reports of parliamentary decisions, are absolutely filled with cases of defective and partial returns, double returns, and false returns, knowingly and fraudulently made by those who had taken an oath to act justly and impartially, but who could not resist the rewards or the threats of a monarch and his nobility. So thoroughly corrupt had Parliament become, in consequence of the frauds practised on the returns of its members, that a rule was adopted in process of time by which those returns were very little regarded. Perceiving that a rigid adherence to legal processes and technicalities had not only broken down the character and integrity of the Commons, but was fast becoming the means of undermining the liberties of the people, they soon learned to draw a just and obvious distinction between a *civil* and political process—holding that a strict interpretation of the one might screen the community from the grinding exaction of creditors, while a strict adherence to the other

Digitized by Google

was only the means of corrupting public officers, and of practising a fraud on the rights of the people.

So early as 1707, an order was adopted by the Commons, "That all petitions, at any new Parliament, relating to elections and returns, be delivered to the Clerk of the House, and be laid by him on the table before the Speaker was chosen." And it was subsequently ordered that those cases should be considered before proceeding to any other business. In the meantime, those claiming the disputed seats were not allowed to participate in the proceedings; indeed, were prohibited by severe penalties.

Thus we see that, even in England, where the rights of the people are not regarded of paramount importance, the House of Commons, in self-defence, to protect itself from corruption and the intrusion of spurious members, was compelled to disregard the technicalities of law, to look beyond the mere formalities of a return which was no longer *prima facie* evidence of membership, but an instrument of fraud, to pass by all those intermediate stages so readily and constantly perverted, and look at the actual state of the case—the elections as they really took place among those who had "the right of election."

In some of the States of this Union, a similar course is pursued, though their laws, if strictly interpreted and rigidly adhered to, would place it in the power of the Executive to organize a Legislature in the first instance after its own will, and thereby contravene the wishes of the people, and perpetuate the power in its own hands.

In Virginia, for example, a strict interpretation of the law would place the organization of the Legislature, in the first instance, in the hands of the Executive Council. But they have never interpreted the law as conferring any other power on them than merely to administer the prescribed oaths. They never examined the certificates of members, or took cognizance of their title in any way.

A high executive officer in Pennsylvania, the Secretary of the Commonwealth, acting under laws not more rigid than those of England, or the State above alluded to, but feeling it his duty to follow the minutest technicality in regard to returns, rejecting all those of a conflicting nature, and presenting to the Legislature those only he deemed official, was well nigh involving that ancient and patriotic Commonwealth in revolution and civil war.

Had the Secretary of State presented *both* returns from the county of Philadelphia, and explained the circumstances so far as they had come to his knowledge, he would have relieved himself from a very delicate position, thrown the responsibility of deciding the case where it properly belonged—on the House of Representatives and the Senate—and, in all probability, would have prevented those distressing scenes which followed the course he actually pursued. And much of the testimony given before a committee of the Legislature appointed to examine into the causes of the difficulties at Harrisburg, and many other recent events, all prove, that had he pursued the course above indicated, no difficulties would

Digitized by Google

have arisen, and general satisfaction would have been given to the wise and candid of all parties.

Congress, however, both in regard to the return of its members and its mode of organization, is governed by no statute or prescribed rule of any kind. Originating, as it did, under circumstances altogether different from those of the Commons House of Parliament, it must necessarily, for its own guidance, have given birth to a set of principles entirely at variance from those of a Legislature which sprung, in the first instance, from the will of a monarch, and was only enabled, after many generations of contest between their own privileges and the prerogatives of the Crown, to establish something like the independence and stability of a representative body.

Congress, as it is well known, took its origin in the conventions or assemblies of deputies sent by the Colonies to consult for their defence and mutual welfare in a time of common danger. The first that met in Philadelphia in 1774 was composed of men possessing every variety of credentials. Some were deputed by the Colonial Legislatures; others, by popular assemblies; and others again by mere committees of safety.

Assembling, however, at the imminent hazard of their fortunes and their lives, the simple presence of any man was a sufficient guaranty of his honesty and zeal. Coming together for the first time, personally as strangers to each other, but well known as the bold defenders of a common cause, they forthwith, making no question of each other's authority, proceeded to elect a President to preside over their deliberations, and a Secretary to record their proceedings. After they had formed themselves into a deliberative body, they then caused the credentials of those present to be read and approved. The Congress which assembled in May, 1775, was organized in the same way, not calling for the credentials of members until the House had been formed. After the articles of confederation had been adopted, the mode of organizing Congress was varied. The credentials were first produced and passed upon before they proceeded to the election of officers. In the second Congress, which met under the articles of confederation, the delegates produced their credentials in the first instance, which were read and referred to a committee, "to report thereon as soon as may be." The committee reported the next day, and all being approved, they then proceeded to the election of president and secretary. This preliminary examination by a committee was never practised before or after the Congress which met in 1784. In 1785, they handed in their credentials, which were read without being referred, and then proceeded to their elections. At the next Congress, in 1786, the credentials were referred to a committee after the election of officers, but were not reported on until a late period.

The journals, after the first Congress which met under our present constitution, run in these words: "The following members of the House of Representatives appeared, *produced their credentials*, and took their seats." And such for a time was the tenor of every journal. Thus

Digitized by Google

it appears, that from the first time we had any organized system for the government of the States, some kind of credential or evidence of membership was expected and required before any one could participate in the deliberations of Congress; but the nature of those credentials, and the mode of determining their validity, have always been various, and, to this day, are not directed by any general law. The constitution has conferred on Congress the power of adopting a system of general regulations in regard to the elections and the returns; but this provision justly excited the jealousy of those who were friendly to the independence of the States. It was warmly resisted by many of the State conventions assembled to adopt the constitution, and the point was only yielded on the promise that the Constitution should be amended in that particular, so soon as it had been adopted. Accordingly, at a very early period in the first Congress, Mr. Burke, of South Carolina, moved the following amendment:—"Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections of Senators or Representatives, except when any State shall refuse or neglect, or be unable, by invasion or rebellion, to make such elections." It was urged in favor of this amendment, *that the clause of the Constitution conferring on Congress the power to regulate elections was obnoxious to almost every State—that it put it in the power of that body to establish a government of an arbitrary kind; if the United States are desirous of controlling the people, they can do it by virtue of the powers given them in the fourth section of the first article; and whenever they choose to exercise those powers, then farewell to the rights of the people, even to elect their own Representatives. When did a confederated government have the power of determining on the mode of their own election? In the order of things, that power should rest with the States respectively, because they can vary their regulations to accommodate the people in a more convenient manner than can be done in any general law whatever.* Such were the arguments advanced in defence of the amendment; but it was lost by a majority of five votes. So obnoxious, however, is any general law of elections, that though many arguments of convenience and expediency might be urged in its favor, none has ever been adopted; repeated attempts have been made, but always signally failed; and we may venture to say that none ever will be adopted, so long as the great and important doctrine of State Rights is regarded.

In the meantime, the mode of procedure in regard to the organization of the House, and the admission of members, seems to have varied at different times, and never to have been controlled by any general parliamentary principle. Of late years, those evidences of membership called credentials are forwarded by very few of the States, and are rarely ever presented by members; so that the phrase found in the older journals, "presented their credentials," has not been inserted for the last twenty years, because it expressed an untruth—none ever being presented. It has now become a matter of vital importance to elicit from past experience

Digitized by Google

and former precedents some general principle governing all cases, and admitted as a sufficient rule, by which the title of membership in the first instance shall be determined, and the House provisionally organized; and for this purpose, bearing in mind that this provisional organization is a mere incipient stage towards a more perfect legislative body, and always subject to the control of a majority, there can be no better rule than that which has been invariably practised by Congress. The rolls of the House of Representatives have always been made up of those names who, from common notoriety and the general consent of all parties, were acknowledged to be members of Congress. Common fame and newspaper report may appear to be a slender reliance for so important a matter, but when further examined will prove of the highest and most trustworthy authority.

The Press has become a fourth estate in the government of civilized society. All matters appertaining to elections, returns, and public characters, are by it thoroughly sifted and made known to the whole country. Our country, too, ever has been, and ever will be divided into two contending parties; and a wakeful jealousy will ever keep them observant of each other's conduct; so that by means of these opposing elements, with the aid of the press, the truth and the whole truth in regard to any political matter may be as well known to those who live in the remotest parts of the Union, as to those who were eye-witnesses of the transaction.

Our elections are not held in obscure boroughs, and by a few electors, as in England. Fifty thousand people are directly interested in the result of each election. An active and warm canvass commences between the contending parties for many days before the voting is commenced; the candidates in many States go from house to house, from village to village, discussing important questions and setting forth their respective claims. In other States the same publicity is given to their proceedings through the press. When the election comes on, hundreds in open day press to the polls to give their votes; the progress of the election is watched from the beginning by suspicious, vigilant, and anxious partisans of the respective candidates.

The result, when announced, is known through the entire district—spread on the wings of the wind through the State—and soon becomes the subject of speculation and of interest to the intelligent portion of fifteen millions of people. It is obvious, therefore, that by this process it is utterly impossible for any fraud or deception to be practised without immediate detection. The precise state of the poll, the number of votes given, the exact majority, and all questions and disputes growing out of the elections, become the most prominent part of the history of the day; and no private papers, (as all credentials are,) however well authenticated, can enable the proper officer to make up a more complete and satisfactory roll of members, than he can from the current history of the times. He is made as well satisfied as he can be of any human events, by common notoriety and the consent of all parties, that certain men

Digitized by Google

or, more properly, (as the individual may be unknown,) *certain names*, are elected as members of Congress; and the next most important point is to identify the name with the individual actually elected.

The mode pursued by Congress in this respect, also, is a plain and simple one. When the day appointed by the Constitution and the laws for the meeting of Congress has arrived, and those who are members, or claim to be members, present themselves in their *usual place of meeting;* and when, at the appointed or usual hour, the officer to whom has been entrusted, by long and undisputed usage, the duty of making a roll of members on the principles above indicated, presents himself, announces that he is about to call the names of those who are members of the House of Representatives—when he actually calls a name, and one rises from his seat, or audibly answers to that name, there can be no question in the mind of any one that he is the individual actually elected and entitled to his seat.

Under color of a piece of paper, or parchment, which he can procure by fraud or bribery, and under protection of the secret ballot-box, one might have the hardihood to present himself, go through the forms of initiation, and aid in doing infinite mischief, in subverting the Constitution itself, before he could be detected, and then, by aid of his own voice, might save himself from ejection and punishment. But here* no one can conceive the possibility of such a thing. It is not in the human heart to strain itself up to the practice of a fraud surrounded by such existing circumstances. Silence and secrecy are essential to the perpetration of crime. But here are assembled in open day the Representatives of six-and-twenty States, and a vast concourse of people from all parts of the Union, anxiously watching the minutest procedure. Can it be possible that one would rise in such a presence and answer to a name that is not his, and claim a seat to which he has no title? It is not in man to act so base a part. When, therefore, the roll has been called through, and a sufficient number have answered to their names to constitute a *quorum*, there is then a House of Representatives, as contemplated by the Constitution; for it says *each House shall elect its own officers.* As there are Parliaments, so there must be a House of Representatives, before the election of Speaker. And there is no other way in which a House can be constituted than the one just described. When that process has been completed, there is then a House of Representatives, competent to entertain and decide all questions touching the privilege of members, the claims to contested seats, and all matters appertaining to their more complete organization. They cannot enter on the ordinary business of legislation, as prescribed and limited by the Constitution, because they have not taken the oath to support the Constitution, which by some inadvertence is required to be administered, not by a judicial officer, but by the Speaker himself, after his election.

* This paper was intended by the Clerk to have been read from his desk to the members of Congress elect.

Digitized by Google

While thus engaged in the adjustment of preliminary questions, the House must be governed by the common law of Parliament, without which no deliberative body can exist. It is true they are not bound by the rules of a preceding Congress; but those rules, like statutes, do not create or destroy, but only limit and define, a general principle: take away the limitations, and the principle exists in its original force.

When thus constituted and organized into a House of Representatives, it is then the duty of the proper officer to lay before them all contested cases, and the evidence in his possession, that they may proceed according to the Constitution to decide on the elections, returns and qualifications of those contesting. After the most laborious investigation into all the precedents,* from the earliest times, both in our own country and in England, I have come to the conclusion that this is the only safe and proper course to be taken. It is indeed the course indicated by Congress as the proper one, in the famous Moore and Letcher case, when both gentlemen voluntarily retired in the first stage of the organization, and this act of theirs was afterwards approved and confirmed by a vote of the House.

Though long usage and the necessity of the case have imposed on the Clerk of the House the duty of making a roll of members to be called at the opening of Congress, yet he has no authority whatever to interpose in doubtful cases, or throw any obstacle in the way of an immediate adjustment by the House. Where there are no difficulties, his course is plain; but in all matters of doubt, he is bound to present the evidence in his possession, and throw the responsibility of deciding, where it has been placed by the Constitution, on the representatives of the people. No party can take exceptions, no individual can be aggrieved, by this course. It will be as much in the power of the House to act on them when called at the end of the roll as if they had been called in the regular routine, according to past usage. And by the mode here proposed, one great advantage will be gained in having a House organized and competent to entertain and decide all questions touching the privilege of members, before any contested case shall come before them for consideration.

Believing that Congress, originating in peculiar circumstances, and being a government of confederated States, must necessarily be controlled by laws different from those of the House of Commons, or the State Legislatures exercising jurisdiction over a consolidated mass; believing that the present mode of testing and recognizing members is more efficacious than any positive enactment can be made; that it is more open, impartial, and consistent with our federative system, and that it is less liable to be perverted under color of law and strict technicalities into an instrument of fraud; believing that when a roll made up of the names of those who by common notoriety and the general consent of all parties are

* Many of these are appended to the original document in the form of an Appendix.

Digitized by Google

recognized as members of Congress, has been called through, and a sufficient number have answered to their names to constitute a quorum, then there is a House of Representatives, as understood by the Constitution, controlled by the common law of Parliament, and competent to decide all questions touching the privilege of members; and believing that then, and not before, all contested cases, with the accompanying testimony, should be laid before them for consideration,—I feel it a solemn duty incumbent on me to proceed in this mode to organize the House, so far as necessity and unbroken usage from time immemorial have thrown that task on the Clerk of a preceding Congress.

THE FISCAL SYSTEM OF THE UNITED STATES.

In several respects the fiscal system of the United States will not suffer, in so far as regards its *theory*, by a comparison with that of any other country.

No money can be taken from the people but in consequence of an act of Congress.

No money can be drawn from the Treasury but in pursuance of an appropriation made by law.

Even after money is thus appropriated, not a dollar of it can be got from the Treasury but on a warrant signed by the Secretary of the Treasury, countersigned by a Comptroller, and recorded by the Register.

All accounts, except those of the Post Office, are twice audited; first by the Auditor of the Department, to which they properly belong, and next by the First or Second Comptroller.

Such is the *theory* of the system; but, unfortunately, it is little more than *mere* theory. The United States have neither treasure, nor treasurer, nor treasury. The whole superstructure is without any substantial basis. There is a Treasury Department, but that is a mere *bureau* or *secrétariat*. As well might men call the Navy Department, without ships, dockyards, or seamen, a navy, as to call the Department of the Treasury *a treasury*. There is an officer called the Treasurer of the United States; but he is falsely so called. He is a mere clerk.

Neither have the United States any *treasure*. A mass of debts due to Government by banks and individuals, and which may or may not be paid, cannot, with any propriety, be called a treasure.

This state of things was never contemplated by the framers of the Constitution, or by the framers of the law of 1789, for organizing the Treasury Department. They evidently had in view a substantive treasury, substantial treasure, and a real treasurer. The Constitution declares, that "no money shall be drawn from the Treasury, but in

Digitized by Google

consequence of appropriations made by law." The act of 1789 declares, "that it shall be the duty of the treasurer to receive and keep the moneys of the United States." And the primary act for raising a revenue declares that dues to Government shall be paid in "gold and silver coin *only*." Considering the strictness of these provisions, that must be regarded as a very ingenious interpretation of law and constitution by which the treasury of the United States was made to be "all along shore and all over the prairies," or wherever there was money to the credit of the treasurer. Equally ingenious was that construction of Alexander Hamilton's, by which he made the injunction that all dues should be paid "in gold and silver coin *only*," a simple prohibition to receive notes issued by the State governments! Only thirty days after the act was passed he issued a treasury order authorizing the collectors to receive bank notes not having more than thirty days to run! If justice had been done, he would have been impeached for this bold and palpable violation of as plain a legal provision as ever was penned.

But though the United States have neither treasure, nor treasurer, nor treasury, all the forms of law have been kept up from the beginning, just as if they possessed all three. There was a reason for this. If they had been dropped the people would have become alarmed. But by preserving the form the loss of the substance could be concealed. Hence the utmost scrupulosity as to forms was observed by Hamilton, and the example set by him has, from necessity, been imitated by his successors in office, though it sometimes leads to ludicrous results. For example, the organic law of 1789 declares that no money shall be paid into the Treasury, or out of the Treasury, but in consequence of warrants. The treasurer gives bond to a large amount for the faithful performance of his duties, and is, in theory, accountable for all moneys to his credit in the hands of collecting officers. To what does this lead? When information is received at the Treasury Department of money being in the hands of collecting officers, warrants are issued for paying it out as the public service may require. Then, *after* legal evidence has been received at the Treasury Department that the money has been paid away, warrants are issued for bringing it into the Treasury! Thus, under this precious system of fictions, money is paid *out* of the Treasury before it is paid *in*.

The like practice was adhered to when the United States bank was a public depository, and also when the State banks were used for this purpose: with this difference, that, at the end of each quarter, warrants were issued to bring into the Treasury the money deposited in the banks during the quarter. The same rule is observed with regard to some of the banks which serve at present as fiscal agents.

It is said by those who ought to know, that these warrants for bringing money *into* the Treasury, after it has actually been paid *out* of the Treasury, are necessary, and that they are the best, if not the only, vouchers the auditors can have, in the final settlement of accounts. We

Google

will not dispute with professors of the much mystified, rather than mysterious, art of book-keeping. Our own studies have lain in a different line. But we know it to be one of the first principles of book-keeping that the entries should be faithful records of the transactions of each day. And we know that this principle is violated in the records of the Treasury Department. Warrants are duly drawn on A, B, C, and D, in Arkansas, Michigan, or Louisiana, directing them to pay certain sums into the Treasury. A man of plain sense would suppose they were to be forwarded to the persons to whom they were addressed. How great would be his surprise on being informed that they would never leave the Department. How much greater would be his surprise on being informed that the very sums which these men were directed to pay *into* the Treasury, they had actually paid away on public account, it might be, a month or two previous.

For this, the present officers of the department are not to be censured, nor any of their predecessors, except one. On Alexander Hamilton rests the whole blame. With him originated this system of fictions, and he so fastened it on us, by means of his banking and funding system, that even now it seems difficult to cast it off.* Having substituted a fictitious treasure, a fictitious treasurer, and a fictitious treasury, for the real treasure, the real treasurer, and the real treasury intended by the Constitution and the organic law of 1789, a fictitious mode of keeping accounts was a necessary consequence. If no other reform can be effected, let there be at least a reform in the use of words. Instead of calling such warrants "warrants for bringing money into the treasury," call them *warrants for bringing accounts into the liquidation books of the Treasury Department*, and let their form be altered so as to correspond with facts. It is worse than folly to speak of bringing money into the Treasury when there is no Treasury.

---

* The following passages in a private letter from Thomas Jefferson to Albert Gallatin, then Secretary of the Treasury, under date of April 1st, 1802, show that Mr. Jefferson was fully aware of the nature of the system:

"I think it an object of great importance to be kept in view, and to be undertaken at a fit season, to simplify our system of finance and bring it within the comprehension of every member of Congress. Hamilton set out on a different plan. In order that he might have the entire government of his machine, he determined so to complicate it as that neither the President nor Congress should be able to understand it or to control him. He succeeded in doing this, not only beyond their reach, but so that he at length could not understand it himself." * *

Afterwards, in the same letter, he says:

"Our predecessors have endeavored, by intricacies of system, and shuffling the investigator over from one office to another, to cover every thing from detection. I hope we shall go in a contrary direction, and that by an honest and judicious reformation, we may be able, within the limits of our time, to bring things back to that simple and intelligible system on which they should have been organized at first."

Hamilton and his adjunct, or rather director, Robert Morris, had so interwoven the affairs of the Treasury Department with banking and funding, that Mr. Jefferson could not accomplish the reform he contemplated. Happily the time has now come in which this work can be effected.

Digitized by Google

So completely are we without a Treasury, in the sense intended by the Constitution, that any bank, or officer having hold of the public money, may do as the United States bank has done—refuse to pay over a part or the whole, on any pretext, however frivolous, and the Government would have no means of righting itself but by a tedious and uncertain civil process.

In this respect our Government differs from all others. Several make use of banks and bank paper to a certain extent. But all have their distinct treasuries, except in those cases in which the treasury and the bank are one, through the bank being a mere governmental institution. The Bank of England, though its stock is owned by private persons, may be regarded in most respects as a government bank, since its principal dealings are in exchequer bills. Yet the Government of England still has its great iron chest of the exchequer, with its three locks and three keys, and evidences of the balances due from the bank to the Government are daily deposited therein, and the keys as formally delivered to the officers who have the legal custody of them, as they used to be when that great iron chest contained something more substantial than mere Bank of England paper. England has at least the ghost of a treasury left. In the United States both the form and the substance have disappeared under the potent influence of Alexander Hamilton's magic wand. Berkeley's ideal theory was never so beautifully realized as in the treasury system by him established. Instead of substantial gold and silver, he gave us bank notes and inscriptions of credits on bank books—ideal representations of ideal values; instead of a treasurer—a mere clerk to draw upon these idealities; and instead of a treasury—a mere bureau to keep an account of these idealities. Perhaps we ought rather to say it is Hume's system realized, as far as it can be realized. Berkeley admitted the existence of spirit, but denied the existence of matter. Hume denied the existence of both spirit and matter. He affirmed that men had no satisfactory evidence of the existence of any thing but ideas. If any philosophers of his school are still extant, they will find the best possible proof which their theory admits of, in certain features of the Treasury system of the United States.

Talking of philosophy, will remind the reader of the dogma, that for every effect there must be a cause. If he is curious in such matters, he will find the particular cause of the particular effect above described in the selfish interests of individuals. If a real treasury had been established, and a real treasurer appointed, that clause of the Constitution, which declares "that no money shall be drawn from the Treasury but in consequence of appropriations made by law," would have become effective. Then, any Secretary of the Treasury, who should have suffered the public money to be applied to private uses, would have been liable to impeachment. It would have been vastly inconvenient to some of Hamilton's friends not to have the use of the public money, and an impeachment would not have been very agreeable to his own feelings. But by

Digitized by Google

avoiding establishing a real Treasury, that provision of the Constitution became, in so far as regards the application of money to private uses, a dead letter. By the interpretation which fixed the locality of the Treasury wherever there was money to the credit of the Treasurer, all sums paid in on account of the Government, whether in specie or paper, became in point of fact mere debts due from corporations or individuals to the Government. They became mixed with the other funds of corporations and individuals, and could be used by them with impunity till payment of the debt was demanded.

Hence the multitude of defaults that have occurred. Here lies the root of the evil, and to this let the axe be speedily applied. Every clerk in a merchant's counting house knows the difference between his employer's money and his own; but the receiving and disbursing officers of the United States Government do not know the difference between their own money and that which they hold in trust for the people. They employ the latter in their private speculations, and if these prove unfortunate, they cannot repay the sums thus misapplied. No Government but our own suffers its personal agents thus to misappropriate the public funds. Several permit banks, under certain restrictions, to use public deposites in their current business; but none allows this privilege to its receiving and disbursing officers. Perhaps France may be adduced as an exception; but the exception is only apparent. All the provincial receivers are there required to make deposites in the Treasury in advance, in amounts believed to be sufficient to cover their monthly collections. Every ten days they remit to the Treasury such sums as they have on hand; and if, through any accident, a balance remains in their possession, they are charged interest on the same. If in the French fiscal regulation no express prohibitions can be found against public officers applying the public money to private uses, it is owing to the workings of the French system being such that the Treasury is in most instances in debt to the collecting officers, instead of the collecting officers being in debt to the Treasury.

In Great Britain, none even of the banks, except the Bank of England, and perhaps the Bank of Ireland, are suffered to have the use of the public funds for any longer time than is regarded as a sufficient compensation for the trouble and expense of collecting it and transmitting it to London. The banks at Liverpool are allowed this use of the public money for only fifteen days. The receiving banks at Glasgow make remittances weekly to London, in bills or drafts at seventeen days date.

A majority of the people of the United States have decided in favor of a separation of bank and state, and a majority of the present Congress are pledged to carry their wishes into effect. Yet we are by no means as sanguine as many, that the necessary bills will be passed during the present session. The banks have still great power over the representatives of the people and of the States; and even supposing that they have no disposition to exert that power so as to produce distraction of councils, there may be honest differences of opinion in regard to the

Digitized by Google

details of the system that should be adopted: in fact, it is impossible to see how such differences of opinion are to be avoided. No bill embracing the whole of a new system can be passed, unless the members friendly to a separation of bank and state should be willing to make many compromises in regard to details. In a single session it may be impossible for them to come to a proper understanding on many points. Nevertheless, a beginning ought to be made. The people expect it. The people will not rest satisfied (nor ought they to rest satisfied) unless something be done towards effecting an object which becomes more and more a favorite with them, the better it is understood. Under these circumstances, it would be unwise to risk the loss of every thing by attempting too much at once. It would be inexpedient to give room for a diversity of opinion by bringing in, at first, a bill embracing a multitude of details. True policy would seem to point to beginning the work with a very short bill, perhaps one of a single section. That, however, *should lay the axe at the root of the evil.* It should prohibit, under sufficient penalties, the application of public money to private uses. The circumstances of the times call loudly for this. The recent report of the Secretary of the Treasury shows that it is principally during seasons of pecuniary embarrassment that defaults occur. As pecuniary embarrassments are now very severe, and, it is to be feared, will continue to be so for some time to come, it is rational to expect that the number of defaults will increase if the free use of the public funds is permitted to public officers. Some of the orators of the opposition have been very eloquent in denouncing defaulters. Will they be so inconsistent with their professions as to offer any serious opposition to a bill which would be the most effective measure it would be possible immediately to adopt, to prevent future defaults?

If we had the honor to hold a seat in "the House," we would be quite willing to test their sincerity. We would be willing, rather than the bill should not pass, to accept an amendment (provided it came from the opposition) declaring the banks that are at present employed, or any that may hereafter be employed, as public depositories, might be permitted to use the public deposites in their current business. We would postpone, for the present, the great question of the separation of bank and state, that we might immediately put a stop to defaults among the personal agents of Government.

This once done, the Government could carry on its fiscal operations with comparative safety, till Congress should have time to mature a constitutional treasury system. This will require deliberation, for it is not *every* Independent Treasury System that will answer. Some of the plans that have been submitted are mere crudities. Others are, in the main, good, but require much amendment. This, at least, is what is said by some of those who have paid most attention to the subject. They rejoiced rather than mourned at the loss of certain so-called "Sub-Trea-

Digitized by Google

sury" bills, because convinced that, under such provisions as they contained, the system must necessarily fail in practice.

It is here proper to correct a prevalent error. No new legislation is requisite for the creation of "sub-treasuries." Every post office is in fact one, and so is every custom-house and every land office. They all receive, keep, and pay away money on public account. They have done so from the beginning of the Government, and do so still, and will continue so to do, whether the constitutional system be adopted or not. If the operations of some of these offices have been in some respects irregular, such irregularity may be traced up to the practice of allowing the officers to apply the public money to private uses. The legislation, then, that is required in regard to existing sub-treasuries is, that which will put an end to this practice.

What are really wanted, of a new character, are, a few GENERAL OFFICES, to perform for Government those functions that have hitherto been performed for it by the banks. Of these, not more than eight, perhaps, would be necessary—though if a greater number could be established it might contribute to the perfection of the system.

In each of these offices there ought to be three officers, appointed by the President with the concurrence of the Senate. They ought not to receive their offices from one another, because they should be checks and guards on one another, and if any one of them should prove to to be a defaulter, and the other two should not be able to show that it was through no neglect of theirs that the default occurred, they should be held responsible for the loss, if the defaulter and his sureties could not make it good. If the assistance of subordinates in any of these general offices should be necessary, they ought to be appointed by the principals, with the consent of the Secretary of the Treasury; but those who make the appointment should be responsible for any loss that might occur through the misconduct of those thus appointed. On the French system, all subordinates are appointed by the Supreme Government. Owing to a variety of circumstances, it would be difficult for the Government at Washington to get a competent knowledge of the character of applicants for subordinate stations in treasury offices. It will, therefore, for this and other reasons, be advisable to give the appointment of the subordinates to the principals, making them responsible in the manner already stated.

As additional safeguards, a competent number of inspectors should be appointed by the President and Senate. Their duty should be to visit these treasury offices without giving previous notice, and inspect the books, papers, and money on hand, so that no officer may be led into temptation If they discover any irregularity of administration, or have ground to suspect that any default has occurred, they should immediately report the same to the proper officers at Washington. And in order that these officers at Washington may be kept to the strict performance of their duty, it should be the duty of the inspectors to report

Digitized by Google

annually to the House of Representatives any irregularities of administration they have discovered, and which have remained uncorrected, and any defaults that have occurred, whether the defaulters have or have not been removed from office.

As these inspectors might abuse their power or neglect their duty, or might, from sickness or distance, be unable to perform their duty in some instances as promptly as desirable, power should be granted to the Secretary of the Treasury to appoint special inspectors in cases where, in his judgment, the public interests made their services necessary.

Prompt auditing of accounts is another essential feature in a good fiscal system. The accounts of these offices should be audited at least quarterly, nor should the final settlement of any such accounts be postponed for more than three months after the termination of each quarter.

There is another provision which it would be gratifying to see introduced, namely: That a committee of the House of Representatives should be appointed annually, to examine into all the particulars relating to these Treasury offices. It is supposed, however, that such a provision would hardly be constitutional. By it, if made part of the law, the House of Representatives, a co-ordinate branch of the Government, would be bound to the performance of a certain duty not explicitly prescribed by the constitution, and from which it could not be formally released except by the President and Senate consenting to a repeal of this part of the act. The House has, however, the power, and it ought to esteem it part of its duty, to make such an annual examination. The French Legislature annually appoints from its own body a "Court of Verification," as it is called, which spends considerable time in examining into the affairs of the Treasury.

Under such a system as this, it would be almost impossible that abuses should occur, unless House, Senate, President, Secretary of the Treasury, the Treasurer, the Inspectors of the Treasury, and principals and subordinates of treasury offices, should all prove corrupt.

The principals in each treasury office would, in the first place, be checks and guards upon one another, and mutually responsible for each other's good conduct, and for that of their subordinates.

The inspectors would be a further check on them, and not only on them, but on the Secretary of the Treasury, and on the President. If these high officers neglected their duty, in failing to remove defaulters or correct mal-administration, such facts would become evident from the report of the inspectors to the House of Representatives.

In the next place, the auditors and comptrollers, by promptly settling accounts, would prove effective guards against misuses of the public funds.

Lastly, the House of Representatives, by the plenary power it would possess of examining into each and every matter concerning the treasury, would prove an effective guard against abuses of power by the President,

Digitized by Google

the Secretary of the Treasury, and all inferior officers of the department.

On the importance of some other subjects, such as uniformity of accounts, and publicity of accounts, it is unnecessary to dwell, as they already, in theory at least, form part of the present system.

In regard to mere matters of administrative detail, it will be perhaps impossible to fix them by law, because they must vary with varying circumstances. But as every treasury regulation ought to have at least the tacit sanction of the National Legislature, the officers of the department ought to be required to lay before Congress forms of the manner of keeping books and accounts, and copies of all treasury orders and regulations. Thus the whole subject would be laid before the representatives of the people, and they could readily discover if further legislation would be necessary.

There is, however, one power, which, if the Treasury Department does not now possess it, ought perhaps to be granted to it. We allude to a power to receive, at convenient public depositories, money in advance in payment for lands. There will be an absurdity in requiring an emigrant, landing at Detroit or St. Louis, to carry some three or four hundred miles into the interior the money to purchase his quarter section, when the Government will, before it can disburse the money as the public service requires, be obliged to bring it back to St. Louis or Detroit. The expense to which Government and people have been put by carting and re-carting money from the banks to the land offices, and back again from the land offices to the banks, would probably pay the expenses of a good treasury system.

Perhaps the principle might with advantage be extended, so as to allow payments in advance to be made for other dues to Government. For example, if a merchant in New York had to pay a sum for duties, and had that amount owing to him by a merchant at St. Louis, he might be authorized to direct the latter to pay the money into the treasury office at St. Louis, and with the certificate of deposite liquidate the demand against himself at the New York custom-house. In this way the merchants would be accommodated and the Government put to no inconvenience. If these certificates of deposite should circulate for a few months, no harm would be thereby done, as they would be *actual representatives* of specie—not like bank bills, mere promises.

But every precaution should be used against these treasury offices degenerating into banks, in the American sense of the word banks. No drafts should be drawn on them except for specie actually in their vaults. For the convenience of the public creditors, permission might be given to divide large claims into various drafts, but none of a less amount than one hundred dollars. Further than this no hard-money man can go with propriety. All certificates of deposite, and all Government drafts payable on demand, should be representatives of gold and silver actually in some depository.

Digitized by Google

If our Government should once begin to issue *a credit currency*, there would be no placing limits on the amount. Treasury notes bearing interest, it may, in times of exigency, be forced to have recourse to; but such notes do not form a currency, in the strict sense of the word. They are regarded by capitalists as profitable investments, and as such are hoarded. They may be occasionally used in payment of debts, but so also are stocks, and so is corn, and so is tobacco. Treasury notes bearing interest do not injuriously affect the standard of value, nor can they become the money of the country. In their essential character they resemble the five and six per cent. stocks of the States, and differ from them only in being receivable in payment of public dues to the General Government. The issue of them is to be avoided as far as practicable, on the general principle that the incurring of debts in any shape should be avoided, as far as possible, by a republic.

The proper medium for all commercial transactions, of a less amount than five dollars, is silver; for all transactions between five and fifty, or, perhaps, five and one hundred dollars, the proper medium is gold; and for all transactions of fifty or a hundred dollars, and upwards, the proper medium is notes of bankers *responsible in the whole extent of their private fortunes*, and bills of exchange. So far as treasury drafts can be *incidentally* of use in commercial transactions, well and good. But any attempt of Government to furnish a paper medium for general commercial purposes must infallibly do harm. Let commerce alone, and it will furnish a medium for itself.

It may perhaps be urged that this rule would work very well in ordinary times, but that the crisis is a peculiar one, and that in the general derangement of the banking business, perhaps the breaking up of the present banking system, it would seem incumbent on Government to suffer its credit to be generally used till a new and better banking system can be established. This question need not be discussed here. "One thing at a time" is a good rule in legislating, as well as in other business. In one of the "sub-treasury" bills of a previous session, a provision was introduced to allow the Secretary of the Treasury, when there were surpluses in the treasury, to invest the same in State stocks, and when there were deficiencies, to dispose of these State stocks, or to issue treasury notes to a limited amount. It is by investing their surplus earnings in securities readily convertible into cash, and by occasional uses of their personal credit, that large private dealers are enabled to meet punctually all their engagements. There would seem to be strong reasons in placing the Government on the same footing, in this respect, as individuals, especially in a country where the revenue fluctuates to an extent unknown in other lands. But a distinguished Senator from South Carolina had the provision struck from the bill, with the intent that the naked issue of "constitutional treasury" or "no constitutional treasury" might not be embarrassed by collateral questions. On the same principle, all plans for such temporary relief as the present

Digitized by Google

crisis may demand, should be kept distinct from plans for forming a treasury system for the United States, intended to be of a permanent character. No plan of relief can, indeed, be effective, unless a good fiscal system be first adopted.

What has been said must convince the reader of the wide scope the debate on the Independent Treasury system will be likely to take, and of the great difficulty there will be in carrying a bill that will embrace many details. Yet even providing for the few points which are essential will require an act of no small number of sections. Hence the necessity of throwing aside every thing of an extraneous nature.

One point which ought to be kept in view in the drawing up of such an act, is, that its provisions should conflict as little as possible with the established order of business in the public offices, either at Washington or elsewhere. Clerks in public offices go on very well according to an established routine, but if any attempt is made to introduce new principles of practice, they are generally as much at a loss as Edmund Burke says lawyers are, when the file affords no precedent—as much at a loss as the sailor is without quadrant or compass. So well convinced was the French ministry of this, that when its treasury affairs, some thirty years ago, got into inextricable confusion, it did not attempt to reform the old system, but built up a new system at its side, called the Treasury of Service, and which gradually took the place of the old one.

On this principle, there would be an impropriety in using the Mints as Treasury offices. All the affairs at the Mint at Philadelphia proceed according to an established order, which cannot but be broken by requiring the officers thereof to act as general fiscal agents. The business of coining money is as distinct from the proper business of a Treasury office, as can well be conceived. Nothing will be gained by devolving incongruous duties upon public agents. Where there is a certain quantity of work to be done, there must be a certain number of men to do it, and only by a proper division of labor can that number be reduced within the narrowest limits possible. The Mint at Philadelphia is, moreover, inconveniently situated for the business of a Treasury office. And the existence of Mints, both at Philadelphia and New Orleans, affords additional arguments why Treasury offices should be established in those two cities, rather than why they should not. The accounts of the Mints have hitherto been checked by those of the deposite banks. When an old check is removed, a new one should be instituted in its place.

For similar reasons, it will be proper to organize a Treasury office at Washington, with three officers to be appointed by the President and Senate. Otherwise the Treasurer will be left without that check on him in local expenditures which has heretofore been afforded by the accounts of the deposite banks. The Treasurer would have, moreover, under the supervision of the Secretary of the Treasury, to superintend the operations of all the Treasury offices, which would render assistance to him indispensable in effecting local receipts and disbursements. If Con-

Digitized by Google

gress should not establish such an office, it would be necessary for him to organize it himself as well as he could, as otherwise the whole business of the Department would be thrown into confusion. But he could not organize it with all the checks and guards that are requisite, and therefore it is desirable that provision for it should be made by law.

In about eight Treasury offices, in proper locations, three-fourths, perhaps four-fifths of all the public receipts and payments, exclusive of those of the Post Office Department, might be advantageously concentered. Yet after having provided for the proper organization of these, Congress will not have done all its duty. The public revenue of the United States is collected at about one hundred and twenty custom-houses, at about eighty land offices, and at upwards of thirteen thousand post offices, besides small amounts collected by clerks of courts, by marshals, by the Commissioner of the Patent Office, and by other officers from miscellaneous sources. The revenue is disbursed at as many points as it is collected. In a good fiscal system all unnecessary transfers of public money will be avoided. It would be folly to bring a sum of money from a distant custom-house or land office with full knowledge that the public service would require its disbursement in a short time in the immediate neighborhood of that very land office or custom-house. Yet it would be proper to provide for its security while there: and for this reason, all custom-houses and land offices should, so far as they act as fiscal agencies, be regulated on the same principles as the Treasury offices. There will be no great difficulty in this, if the general principles of the law be once well settled. As there are in all land offices, and all custom-houses, except the smallest, at least two officers appointed by the President and Senate, they can be made effectual checks and guards upon one another, by being made jointly responsible for the money committed to their custody. In custom-houses where cashiers are employed, they ought to be appointed by the Treasurer of the United States, as his agents. The cashier and assistant cashier of the late collector at New York, (Mr. Swartwout,) were early aware of the manner in which he was misapplying the public funds, but as they received their appointments from him, and were dependant on him for the means of earning their daily bread, they gave no intimation of his misconduct to the Department at Washington.

As there should be unity in the fiscal system of a country, the same general principles should be applied in regulating the money concerns of the Post Office. Where cashiers are employed, they ought to be appointed by some other authority than the postmasters, on whom they ought to be checks, and who ought to be checks on them.

The fiscal system of no country is complete, unless it affords the means of receiving and making payments wherever they are due. For all general purposes, the custom houses and land offices, would be preferred as subordinate fiscal agencies. But cases might occur in which it would be expedient to use a post office, on account of its being most

Digitized by Google

convenient for business, or on account of the postmaster's being most of a man of business. Provision could be made for such cases, by granting authority to the Treasurer to appoint, by and with the consent of the Secretary of the Treasury, and of the Post Master General, cashiers to such post offices as it might be necessary to select as subordinate fiscal agencies of the Treasury Department.

That there might be uniformity throughout the system, a sufficient number of inspectors should be appointed by the President and Senate, to examine all the fiscal agencies, both great and small, of the Treasury Department. Those post offices which should perform fiscal duties for the Post Office Department only, might be left to be examined, as they are at present, by agents appointed by that Department.

Against this plan various objections will be brought. It will, in the first place, be said that it will increase the power and patronage of the Executive. To this objection there are two answers. The first is, that the objection is not a legitimate one. The Constitution provides for the establishment of a Treasury, and the same Constitution declares that all appointments to office shall be made by the President by and with the the consent of the Senate. Till the Constitution is, in this respect, altered, it is unnecessary further to consider the objection in this light. As reasonable would it be, as our population increases, to withhold justice from the people, by affirming that providing for the appointment of additional judges would increase the patronage of the Executive. As reasonable would it be, to refuse to declare war when the safety of the nation required such a measure, because war would make it necessary for the President to appoint a number of new officers. Executive patronage is a great evil, and ought to be diminished as much as possible. The true way to diminish it is, to confine the Government to the few objects pointed out by the Constitution.

The second answer to this objection is, that instead of increasing, it would materially *diminish* the patronage of the Executive. It would, indeed, give to him the power, by and with the advice and consent of the Senate, to appoint about thirty new officers: but then, on the other hand, it would take from him the power of allowing the public officers, or rather the power assumed by the public officers, to use millions of the public money. A system of this kind would not give to any public officer, from the President downwards, any new power over the public money, but take away great part of that they now possess. It would diminish their power and add greatly to their *responsibilities.*

As to corruption, that would be much more likely to creep in, and much more likely to be concealed, under a system in which public accounts and private accounts should be mixed together, and in which public funds held by public agents should be regarded as mere debts due to the Government, than under a system, in which public accounts and private accounts, and public money and private money should be kept entirely separate.

Digitized by Google

The second objection to this plan will be, that it will be expensive. It will cost money, it must be confessed, but so does every thing that is worth having. The salaries of the principal officers must be sufficiently large to ensure the services of men of talent and integrity; and they must be paid for the responsibilities they assume, as well as the duties they perform. As the officers of the custom-houses and land offices would in some instances be required to perform additional duties and assume additional responsibilities, they should, in justice, receive additional compensation. Besides this, there would be the expense of fitting up eight Treasury offices, and of providing such custom-houses and land offices, as have them not, with proper securities for keeping books and money.

But this expense would not be great. A couple of rooms and a vault in a custom-house, would suffice for the largest Treasury office: and if any of the custom-houses or land offices are without means of safely keeping books and money, they ought to be provided with them, whether the constitutional treasury system is established or not.

For every dollar this system would cost, it would probably save ten, perhaps one hundred. It would be almost impossible that defaults to any great amount could occur under it, and in this way millions would be saved. It would take away from disbursing officers the temptation to draw for public money in advance of the time required by the public services, in order to employ it in their private speculations: and it would make it the interest of both the collecting and disbursing officers to have their accounts settled as promptly as possible. Hundreds of thousands of dollars, which under the present system remain in the hands of collecting and disbursing officers, would, under the constitutional system, become available for public purposes. Nor would this be the only advantage gained. The banks do not consider themselves compensated for acting as fiscal agents, unless very large amounts of public money are left in their vaults. Under a constitutional system, the whole balance in the Treasury need not, in ordinary times, exceed one million, or, perhaps, two million dollars. Thus several millions, which, under the old system, could not be used without seriously embarrassing if not breaking the banks, would become immediately available. The bare interest on these sums might pay all the necessary expenses of a good treasury system. In the economy to which it would lead, in the faithful application of public money in all departments of government, a still greater advantage would probably be gained. And as there would then be no danger of the public creditors being paid in depreciated paper, the people would save millions as well as the government.

If, however, the American people are not willing to pay the *necessary* expenses of providing for the safety of the public money, that money must be left as heretofore exposed to danger of loss from public officers employing it in their private speculations, and from banks using it in their current business. The plan of *special* deposites has been tried, and like that of general deposites proved a failure.

Digitized by Google

A third objection will probably be, that the plan provides for the establishment of too many offices, and the appointment of too many officers. Let us look into this objection. There are now more than thirteen thousand "sub-treasury" offices, including the post offices. The number of "sub-treasurers" is still more considerable. Besides the collectors of customs, there are deputy collectors and cashiers of custom-houses, and clerks in the land offices and post offices, acting as money receivers. Then there are marshals and clerks of courts, and navy agents and pension agents. Then we have *ambulatory* "sub-treasurers" in the Indian agents, the paymasters of the army, and certain officers of the engineer and ordnance departments. Then we have those who *go by water*, in the persons of pursers of the navy. In the most comprehensive sense of the word, every man who has the handling of the money of the United States is a "sub-treasurer," and in this sense, our army of "sub-treasurers" greatly exceeds our army proper. To bring this host into proper order, it is proposed that a few general provisions shall be adopted which shall affect them all, and eight general offices established in which their business shall be concentered as far as can be advantageously done, and that about thirty officers shall be appointed for the proper management of these general offices, and for properly connecting their affairs with the miner fiscal establishments. Eight general Treasury offices are not too many for a country embracing already, in its organized States and Territories, upwards of a million of square miles. The duties these general offices would have to perform, were once performed by eighty banks, and never for many years past by less than twenty or thirty, counting each branch of the United States bank as a distinct institution.

A fourth objection will probably be, that this is only the beginning of a system which will afterwards be extended. Yes; when regularly organized State and Territorial governments shall cover the whole two million two hundred thousand square miles over which the United States claim jurisdiction, more Treasury offices must be established. Perhaps more should be organized almost immediately. There ought to be a sufficient number to perform properly the Treasury business of the United States.

Great is the responsibility of the present Congress. On it devolves the duty of laying the foundation of a Treasury system which shall answer, under all circumstances of peace and war, for a country which now contains sixteen millions, which twenty-five years hence will contain thirty two millions, and which, fifty years hence, will contain sixty-four millions of inhabitants. It is their duty to lay the foundation of a system, which will be safe and convenient, not only under the administration of such men as at present fill the posts of President of the United States and Secretary of the Treasury, but of all who are likely to be elected to the one office or appointed to the other. They must guard against abuses of power, and misuse of the public funds, by men in high

Digitized by Google

places and by men in low places. They must also make due provision for the convenient receipt and disbursement, and the safe keeping of the money requisite for the public service, in peace and war, wherever the same is to be received, kept, or disbursed.

These objects cannot possibly be accomplished except by—

First. Strictly prohibiting all public officers and agents from applying the public money to private uses.

Secondly. Establishing a sufficient number of general offices for the proper transaction of the fiscal business of the United States.

Thirdly. Making all persons employed in Treasury offices or other fiscal agencies, jointly responsible for the safe keeping of the money entrusted to their care.

Fourthly. Providing for an adequate inspection of these offices and agencies.

Fifthly. Providing for the prompt settlement of accounts.

To frame a system on any other principles than these, will be to throw aside the experience of ages and of nations, and to resort to untried experiments. What may, by way of brevity, be called the double lock and key system, is the only safe one. In the countries where it is used, defaults rarely, if ever occur. Not for one day longer than is absolutely necessary should sums of public money be entrusted to mere individual agents, whether they be collecting or disbursing officers. As fast as collected they should be deposited in places where adequate guaranties are provided for their safety, and should be drawn from thence in such amounts only as are wanted for immediate disbursement. Simply to declare it a felony for any public officer to apply the public money to private uses, is not enough. Neither will it suffice to add a mere system of account keeping, however excellent such system may be in itself, and however valuable it might prove as an auxiliary in preventing abuses in public trusts. No Treasury system can be regarded as a safe one, unless the principles of joint responsibility, adequate inspection, and prompt settlement of accounts, are incorporated into its very substance. Such is the infirmity of human nature, that every precaution should be taken that men be not led into temptation.

If nothing has been said on the medium of receipt and payment, it has been only because that can no longer be regarded as an open question. If the "specie clause" does not form part of the bill, the Treasury officers will have to act as if it did. Even in the best of times, the United States Bank, when acting as fiscal agent, was under the necessity, in order to provide for its own safety, of requiring the local banks to make a weekly settlement of balances. In times like these, when the continuance of specie payments by the banks depends on contingencies with which the Administration cannot be acquainted, it would be compelled, if any discretion were allowed in regard to the receipt of bank paper, to throw the exercise of that discretion entirely on the collecting officers, and hold them responsible for any loss that should thereby occur. But, in a mat-

Digitized by Google

ter like this, no discretion should be allowed to the President to or any subordinate officer of the government. The medium of receipt and payment ought to be definitely fixed by the National Legislature.

The good or bad condition of a country has more connection with its financial system than most men imagine. Disorders in the finances brought on the awful French Revolution. Fundamental errors in our fiscal system are the causes that, in the midst of peace, and with most plenteous harvests, commercial embarrassments overspread the land. Bad as our banking system is, the evils it would have produced would have been comparatively small, if it had been entirely disconnected with the State. The dissolution of this unholy union cannot, with safety, be deferred any longer. *Perpetual* peace we cannot expect to enjoy. We do not deserve such a blessing from Providence. We must hasten to place our fiscal system on such a basis, that it will serve the purposes of the country whatever contingencies may occur. The task will be soon accomplished if the members of Congress, act with a single eye to their country's good.

THE GOOD OLD THINGS.

[The following lines were suggested by a remark of one of the Kings of Spain, that the four best things in the world were, old wood to burn, old books to read, old wine to drink, and old friends to love.]

The wintry wind sings loud without,
The snow falls mixed with pattering hail,
The creaking boughs of old oaks stout
Join solemn chorus with the gale.
Abroad be winter's cheerless gloom,
He cannot pass my well-barred gate,
I'll seek my snug sequestered room
And summer for myself create.
I heed not here the howling storm,
Whilst to the cheerful hearth I turn,
Piling thereon to keep me warm
Old wood to burn, old wood to burn.

The sofa to the fire drawn nigh,
My shelves display their precious store,
Of ancient tomes a good supply,
Such as our fathers loved of yore.
The works in great Eliza's reign
Or later Anne's esteemed the best,

Digitized by Google

New laurels destined still to gain
And bear of future times the test.
"Pure wells of English undefiled"
(That leave for later pens small need,)
Give me upon my table piled
Old books to read, old books to read.

Perusing thus some rare old wit,
How quick the pleasant moments pass!
Can any say it were unfit
To crown his memory with a glass?
No! bring the oldest vintage forth
And draw the cork with cobwebs spread,
The wine should be of rarest worth
To drink the worthiest of the dead.
Some have declared no wine is bad,
That none is good some others think,
But give me whilst it may be had
Old wine to drink, old wine to drink.

Yet not alone would I enjoy
The racy book, the sparkling wine,
The hermit's pleasures quickly cloy,
Divided be all joys of mine.
Around my fireside gathered be
The ancient tenants of my heart,
Friends long beloved there let me see,
To take in wit and wine their part.
With fire and books and social bowl,
What greater blessing can I prove,
If heaven but grants to crown the whole—
Old friends to love, old friends to love.

THE GAME OF TWENTY QUESTIONS.

FROM THE UNPUBLISHED MANUSCRIPT OF A FOREIGN MINISTER.

London, 1823, July 20. Dined at Mr. Planta's, New Burlington street. We had Count Lieven, the Russian ambassador; Count Martin D'Aglie, the Sardinian envoy; Mr. Secretary Canning; Mr. Huskisson; Mr. Robinson, Chancellor of the Exchequer; Lord Granville;* Lord George Bentinck; Lord Francis Conyngham; Mr. Charles Ellis, M. P., and Lord Howard de Walden.†

*At present English Ambassador in Paris.
†English Ambassador to Portugal.

Digitized by Google

There was much small talk, some of it in a high degree sprightly, making the evening fit to be remembered. Parliament having just risen, Mr. Canning and the other two members of the cabinet seemed like birds let out of a cage. We went to dinner at seven. Ten o'clock arriving, with little disposition to rise from table, Mr. Canning proposed that we should play "Twenty Questions." This was new to me and the other members of the diplomatic corps present, though both had been longer in England than even I had been, but familiar to the English. The game consisted in endeavors to find out your thoughts by asking twenty questions. The questions to be put plainly, and in the alternative, if desired. The answers to be plain and direct. The object of your thoughts not to be an abstract idea, or any thing so occult or scientific as not to be supposed to enter into the knowledge of the company, but something well known at the present day, or to general history. It might be any name of renown, ancient or modern, man or woman; or any work or memorial of art well known, but not a mere event, as a battle for instance. These were the general rules. It was agreed that Mr. Canning, assisted by the Chancellor of the Exchequer, who sat next to him, should put the questions; and that I, assisted by Lord Granville, who sat next to me, should give the answers. Lord Granville and I were, consequently, to have the thought in common; and it was well understood that the discovery of it, if made, was to be the fair result of the questions and answers, not of any hocus pocus. With these as the preliminaries, and the parties sitting face to face on opposite sides of the table, we began.

First question by Mr. Canning. Does what you have thought of belong to the animal or the vegetable kingdom? Answer. To the vegetable.

Second question. Is it manufactured or unmanufactured? Answer. Manufactured.

Third. Is it a solid or a liquid? Answer. A solid. (How could it be liquid, said one of the company slyly, unless vegetable soup!)

Fourth question. Is it a thing entire in itself, or in parts? Answer. Entire.

Fifth. Is it for private use, or public? Public.

Sixth. Does it exist in England, or out of it? In England.

Seventh. Is it single, or are there others of the same kind? Single.

Eighth. Is it historical, or only existent at present? Both.

Ninth. For ornament or use? Both.

Tenth. Has it any connection with the person of the King? No.

Eleventh. Is it carried, or does it support itself? The former.

Twelfth. Does it pass by succession?

[Neither Lord Granville nor myself being quite certain on this point, the question was not answered; but as it was thought that the very hesitation to answer might serve to shed light upon the secret, it was agreed that the question should be counted as one.]

Thirteenth. Was it used at the coronation? Yes.

Digitized by Google

Fourteenth. Where—in the Hall, or in the Abbey? Probably in both; certainly in the Hall.

Fifteenth. Does it belong specially to the ceremony of the coronation, or is it used at other times? It is used at other times.

Sixteenth. Is it exclusively of a vegetable nature, or is it not in some parts a compound of a vegetable and a mineral? Exclusively of a vegetable nature.

Seventeeth. What is its shape? This question was objected to, as too particular, and the company inclining to think so, it was withdrawn.

Seventeenth, repeated. Is it decorated or simple? We made a stand against this question also; but the company not inclining to sustain us, I answered that it was simple.

Eighteenth. Is it used in the ordinary ceremonial of the House of Commons or House of Lords? No.

Nineteenth. Is it ever used by either House? No.

Twentieth. Is it generally stationary or moveable? Moveable.

The whole number of questions being exhausted, there was a dead pause. The interest had gone on increasing, until, coming to the last question, it grew to be like neck and neck at the close of a race. Mr. Canning was evidently under concern lest he should be foiled, as by the law of the game he would have been if he had not now solved the enigma. Rolling his rich eye about, and with a countenance a little anxious, and in an accent by no means over confident, he exclaimed "I think it must be the wand of the Lord High Steward!" It was—EVEN SO.

This wand is nothing more nor less than a long, plain, white stick, not much thicker than your middle finger, and, as such, justifies all the answers that were given.

In answering the ninth question, Lord Granville and I, who conferred in whispers touching all the answers that were not at once obvious, remembered that some quaint old English writers say that the Lord High Steward carried his *staff* to beat off intruders from his majesty's treasury! When at the twelfth, Mr. Canning illustrated the nature of his question by referring to the *rod of the Lord Chamberlain*, which he said did not pass by succession, each new incumbent procuring, as he supposed, a new one for himself. I said that it was not the Lord Chamberlain's rod; but the very mention of this thing was "*burning*," though I took special care to lay no emphasis on Chamberlain.

The questions were not put in the rapid manner, in which they will be here read; but sometimes after considerable intervals, not of silence—for they were enlivened by occasional remarks thrown in by the company, all of whom grew intent upon the pastime as it advanced—though Mr. Canning alone put the questions, and I alone gave out the answers. It lasted upwards of an hour, the wine ceasing to go round. On Mr. Canning's success, for it was touch and go with him, there was a burst of approbation, Count Lieven jocosely exclaiming that we of the diplomatic corps must take care and not let him ask us questions at the Foreign Office, lest he should get to the bottom of all our instructions!

Digitized by Google

The number of the questions and the latitude allowed in them, added to the restrictions imposed upon the selection of the subject, leave to the person putting them a less difficult task than might at first be imagined; and accordingly such of the company as had witnessed the pastime before, said that the discovery took place, for the most part, by the time the questions were half gone through; sometimes sooner; and that they had never known it protracted to the twentieth until this occasion. It is obvious that each successive question keeps narrowing the ground of defence, until the assailant at length drives his antagonist into a corner, almost forcing a surrender of the secret. Nevertheless, this presupposes skill in putting the questions, and he who consents to play that part in the game must know what he can do. It was not until twelve o'clock, that we rose from table and went up to coffee. So it is that these ministers of state relax; and it was a pleasant thing to see Canning, Huskisson and Robinson* sporting in this way, as a contrast to the labors of the first over his anxious questions of Spanish American Independence, and what the Holy Alliance meant to do in old Spain; of the second, over his warehousing and East and West India sugar questions; and of the third, over his budget of financial questions—during a long and toilsome session of parliament just ended.

1824, June 24. (Extract.) Dined at the Marquis of Staffords, the company consisting of the Ambassador of the Netherlands, Lord Clifford, Mr. Rogers (Pleasures of Memory,) Sir Humphrey and Lady Davy, and a few others. The game of Twenty Questions was spoken of. Lord Stafford said that Mr. Pitt and Mr. Windham had both been fond of it, and that the former had once found out by means of it the stone upon which Walworth, Lord Mayor of London, in Richard the Second's time, stood when he struck down Wat. Tyler. I asked if he remembered at which of the questions the discovery was made. He said no, but his impression was at an early stage of the pastime. [Pitt, Windham, Canning, Huskisson, Robinson—great English names, thought I, for parliament, the cabinet, and the dinner table!]

THE OLD MAN.

My Grandsire is an old, old man,
  Life's wheels move dull and slow,
His cheeks are wan and wrinkled deep,
  His hair is white as snow;
His eye is dimmed of all its fire,
  His heart of all its glee,
And nought does he the live long day,
  But moan most piteously.

---

* The present Lord Ripon.

Digitized by Google

They say, he's in his dotage now,—
But I remember well,
When he to cousin Tom and me
Would pleasant stories tell:
And as we clambered up his knee,
He'd lay his pipe away,
And, by the hour, live o'er again
Scenes of his early day.

One story, 'twas our youthful pride,—
We begged he'd tell it still;
How he with Putnam, side by side,
Fought stout at Bunker's Hill;
The wound he got, the blows he gave,
The cartridge box and can,
Relics still hanging by the wall—
And how the British ran.

Grave was his face, but oftentime
No fun his features lacked,
His social glass he dearly loved,
And pleasant jokes he cracked;
He held the fashion of his time,
Three corner'd hat, and queu,
Black breeches fastened at the knee,
And buckles on his shoe.

When sabbath brought its heavenly calm,
With staid and solemn air,
Leaning upon his oaken staff,
He sought the "house of prayer;"
Among the elders there he sate,
All holy reverend men,
Devout he listened to the word,
Devoutly said, amen.

'Tis said, life's dealings ever tend
To petrify the heart,
As dew drops from the sparry cave
New properties impart;
But strength was in that old man's soul,
Which change could ne'er repress,
And constancy which soared above
The chill of time's caress.

Digitized by Google

The wicked he aye sternly chid,
  But to the suffering poor
Gave kindly words, and liberal aid,
  When crowding at his door:
His deeds were like the dew of life,
  Which blest both old and young,
His love, a precious talisman
  To hearts with anguish wrung.

But days have gone, and years have flew,
  Come has that old man's night,
His eyes lack lustre in their gleam,
  His scattered locks are white;
So let it be; he sought no trust,
  No honors placed him high,
Unknown he ever prayed to live,
  And unremembered die.

S. S.

Pittsfield, Mass.

DEACON MARVEL.

AN HONEST SKETCH FROM REAL LIFE.

CHAPTER I.

Deacon Marvel was one of the world's wonders. His name was no misnomer, for he was, actually as well as nominally, a Marvel. Of more than ordinary "gumption," shrewd as any other Yankee, devoid (in spite of his cognomen) of every particle of "*Marvel-ousness*," of every atom of "gullibilty," of all flesh he was the oddest, awkwardest, and most good-natured. Nothing under heaven ever greatly disturbed the serenity of his feelings. His moral man, like the pool of Bethesda, was never agitated oftener than once a year, and then it was by a miracle. The skin of his sensibility was as impenetrable as the hide of a rhinoceros, or the scales of a crocodile, or the plate armour of an armadillo. Tilt at him with the spear of wit, assail him with the shafts of raillery, batter him with the cannonade of ridicule,—it was all in vain;—the Gibralter of his equanimity remained unharmed and impregnable. But look out for now and then a shot in return, and be sure it will tell with the more tremendous effect, coming from so unexpected a quarter, just as the speaking ox was an oracle far more portentous to the Romans than Delphi or Trophonius.

Digitized by Google

This rude and rugged hero of ours was "many-sided" enough, at least in his vocations and avocations, to suit the notions of that great Dagon of Germanic idolatry, the "many sided" Goethe. Temporally he was farmer, tanner, saddler, and shoe-maker; and spiritually he was a "professor" and a deacon. In his potatoe field and tan-yard, and on his old leather-bottomed work bench, he was perfectly at home, and even graceful, i. e. so far as entire adaptation of manners to employment constitutes grace. In his professional and ecclesiastical duties, if not graceful, he was reputed to be *full of grace*, and his longitude of countenance coinciding with the longitude of his public prayers, vindicated the justness of his reputation. And yet, with reverence be it spoke, he looked, when officiating as deacon, but still more when in female society, very much like "a hog in armour," or an elephant dancing on a slack wire.

His worldly pursuits furnished him abundantly with the "mammon of unrighteousness," and his spiritual avocations seasoned the filthy lucre with a taste of better things. He was a rising man. But, bachelor as he still remained, it is beyond our sagacity to imagine how he ever came to be chosen deacon, unless he actually prayed himself into office, in defiance of the rigid respect uniformly shown in good old Connecticut for the Apostolic injunction, "let your deacons be the husband of one wife." It is true he used jocosely to say, when attacked by his brethren or sisters on this point, that as the other deacon was a married man, they had between them the canonical allowance, and were indeed the "husbands of one wife."

But deacon he was—and unmarried, and rich. If his family bible could be trusted, (and who shall gainsay the scriptures?) thirty-three years had shed on him their "lights and shadows of *single* life;"—he was a confirmed Cœlebs.

Under all these circumstances, is it wonderful that he was most industriously and disinterestedly admired, sought after and courted, by all the marriageable girls in the parish! Lord! what a constellation of eyes, blue, black, and grey, (I name them in their order of merit,) sparkled and twinkled and blazed round him, wherever he appeared in public. What a squadron of pretty caps were resolutely set at him;—what a legion of "funny little feet" tripped beside his path;—what an Arabian breeze of sweet sighs and fragrant suspirations was wafted after him,—alas! in vain. The fragrance was "wasted on the desert air." The flowers of beauty "blushed unseen" by him, and ruby lip, and diamond or sapphire eye, and teeth of pearl, might, so far as his feelings were concerned, have just as well sparkled in "the dark unfathomed caves of ocean." Just as well might the Zodiacal *Virgo* have given chase to old *Sagitarius*, as these sweet virgins of Pleasant Valley have pursued Deacon Marvel. In vain did shrewd mammas form their motherly schemes, and set their match-making snares, to inveigh him into matrimony. In vain did their artless daughters bait the trap, and make it tempting. Alas,

Digitized by Google

for them all! These veteran Naomis and blushing Ruths had not a second Boaz to deal with. Perchance he might have allowed them to glean after his reapers, but not to harvest and game him.

Deacon Marvel marvelled at none of these things. Unmoved by all this petty (coat?) tumult,—undazzled by the planetary lights of beauty—uncaught in all their toils and by all their toil,—unmindful if not unaware, of the gynocratic conspiracy, he moved steadily along his path, broke up his fallow ground, *raked* only his hay, tended his tan-pits, and stuck *solely* to his *last* "*solus cum solo.*"

Half a score of years thus passed away. His farm extended and swelled around him like a principality,—his tannery was like the catacombs of Egypt in the multitude of its skinny sepulchres, and in the extent of its embalmed treasures, and the products of his workshop opened for him foreign markets. Time and long practice had so inured him to the performance of his ecclesiastical duties, that he could, finally, present the symbolic plate to the "brethren" without bending the pewter, and pass the sacramental cup to the "sisters" without always spilling its contents into their laps, to their great scandal and indignation. As he grew older his heart seemed to soften instead of getting harder, even as a frozen apple, that has hung hard and unchanged as a rock on its solitary bough through half the winter, will sometimes thaw and soften of a mild and sunny meridian in February. The ardor of female pursuit had waxed (or rather waned) chilly and slow in the lapse of years, and the worthy Deacon outgrew that form of persecution. He began to feel solitary, and fancy it was "not good for man to be alone," and imagine that he had wasted precious time. He heard, as he verily believed, the voice of duty, whispering and whistling through the empty chambers of his heart, like a November blast moaning among dry branches and dead leaves, and urging him to arise and take unto himself a wife. "It is the will of the Lord," said he at last to himself, "for me to marry." And so he resolved "to go in the way of his duty;" to procure a help meet for him, and "to raise up a seed and generation to praise the Lord."

Such thoughts as these having for some time flowed through his mind, like warm summer showers descending upon a glacier,—he cast his eyes about him, both mentally and corporeally, in search of the future Mrs. Marvel. There was a host, composed of several generations of beauty, to choose from; all of them in some sort attractive, and many of them, as he said, "ruddy and fair to look upon." Long did he ponder, and hesitate, and hold solitary communion with his own spirit, unaccustomed to meditate such tender topics; nay, some profane historians have written, that, however strange and original we may fancy it, and however uncommon it may be, for lovers, he actually went apart, knelt himself down in the bushes "remote from haunts of men," and prayed the aid of Heaven in this his strait and extremity. Certain it is, if uniform tradition may be trusted, that he began a habit about this period, of chaunting forth, on all

Digitized by Google

occasions, in earnest tones, scraps and snatches of Watts' Indian Philosopher to the good old tune of "Ganges," and the astonished echoes of Pleasant Valley learned to repeat the amorous psalmody of the Deacon as he trilled forth

> "Sure then, I cried, could I but see
> The gentle maid that twinned with me,
> I might be happy too:—"

The result of all his reflections and prayers and psalmody, was, that he one day jumped off his work-bench, and into a sudden and brilliant conclusion,

"My stars!" exclaimed he, using the only oath-like expression in which he ever indulged,—"My stars! the *wid-der* Becket is the very *cretur!* Thanks be praised, she is ready broke in to the harness! Billy! Bill, I say, bridle my horse! Sol, fa, sol, sol, mi, fa!"

> "——— Could I but see
> The gentle maid"———

no, the *wid-der* that—no, that spoils the metre! well, here's the horse.

The curious reader has observed that Deacon Marvel ordered Billy to *bridle* his nag. He did this because he had never yet indulged in the luxury of a saddle, saddler though he was. He had worked so much in his tan-pits that his own natural integuments were as thoroughly cured and hardened as the best of English leather, insomuch that the exercise of riding on the bare spinous ridge of his venerable horse was pleasant and gently exciting to his nether man. For the sake of this pleasure, and for the economy of the thing, therefore, he always rode "a bare back" when he rode at all, which was, indeed, but seldom.

The horse was brought to his shop door,—or rather to a neighboring rail fence,—and the Deacon, without stopping to divest himself of his apron, (that saved broad cloth,) mounted first the fence and then the horse,—having achieved which feat he trotted as gaily as his Rosinante would bear him, in pursuit of Widow Becket.

It would be doing the Deacon foul wrong to imagine, either because of his fervent exclamation aforesaid, or on account of his now rapid movements, that his mind was unusually agitated or at all confused. No such thing. He was as calm and composed as a bottle of laudanum. He did not even trouble himself with concocting a speech for the widow's ear, believing that he who obeyed the scripture injunction, "take no thought for yourselves what ye shall say," was sure of success when the moment for speaking came. But he moved rapidly and decidedly because it was now the middle of the forenoon, and time was valuable. Humming his favorite air, he quickened his nag's usual shamble into a sharp trot, and pushed towards the attractive widow's residence.

The Deacon's path led him directly through the village, into the very hornets' nest of gossiping old maids and old women. It cannot be wondered at, therefore, that his expedition excited great curiosity and set a hundred tongues in rapid motion. Whoever has been cursed (excuse our

Digitized by Google

using the most appropriate word,) with a residence in a small country village must remember how all eyes stared at his every movement, and how his complexion, dress, gait, character, sayings and doings, were noticed, remembered, talked of, and recorded *in perpetuam.* Hardly had the Deacon left the village before reports, surmises, and conjectures were flying like contagion, from house to house, and agitating the whole female hive. *Old* gossips gathered in grand conclave to interchange their light waves of small talk; and the *younger* ones got together in little knots, wondering "what it *could* portend."

Leaving them, with as utter an indifference as did our knight of the leather apron, to their wise confabulations and shallow surmises, let us go on with the lover, who is now in sight of his destined haven, the house of Widow Becket. "She has a hundred acres of land," soliloquised he, as his eye rested on the red cottage and trim garden, and smiling fields about it,—"and quite a snug, clever little bit of a house, and is just about the tidiest little woman in all Pleasant Valley. I reckon she is about—let me see—twenty-eight or nine,—yes, twenty-nine years old, as brisk as a bottle of beer, and as round and plump as a partridge. I wonder she never had any children!—The more to come, I reckon. Well, well, we'll see. Whoa! Dobbin."

So saying, he halted in front of a neat, thrifty looking cottage, which was overgrown with "morning-glories" and other creeping plants, and looked like the very abode of rustic comfort. The Deacon hesitated a moment, and then, without dismounting, stretched forth his whip, and knocked loudly on the door. A damsel of very small claims to beauty answered the summons.—"Thank my stars, she is none of the widow's," *thought* the considerate bachelor—he merely *said* "Little gal, is *sister* Becket at home?" (The widow was in full communion.) "Yes, sir." "Call her to the door!" The widow came, with a face so smiling and kindly, that Deacon Marvel's heart (or some other organ in its vicinity,) almost palpitated with the unwonted emotions produced by her charms.

"Good morning, Sister Becket," said he, looking unutterable things.

"Good morning, Deacon. Wont you get off your horse and come in?"

"Why no, sister, I can't tarry this forenoon: it is a very busy time with me just now. I rode over, Sister Becket,—hem! just to tell you that—hem—*it's the will of the Lord that I marry you*, if y're willing!

The young widow was rather taken by surprise,—but it is pretty hard to capsize a widow altogether, and knowing the exact nature of the extraordinary person before her, she just blushed a trifle, folded her hands demurely over her breast, and with pious resignation replied—

"Well, Deacon Marvel, *the Lord's will be done.*"

So the contract was sealed on the spot. Deacon Marvel choosing his bride, as the Polish nobles did their king, on horseback. The contracting parties in five minutes fixed on the wedding day, and then the Deacon

Digitized by Google

turned his horse's head homeward, returned gravely to his shop, and as tradition tells us, made three pair of shoes before he slept! Truly he was a marvellous smart man and worthy hero.

CHAPTER II.

Marriage, and so forth.

In the days whereof this writing speaketh, the wickedness of the land had not yet given occasion to all those legal delays and statute formalities which now form such grievous stumbling blocks and stones of offence to ardent lovers. The town clerk quietly received his dollar for recording the notice of the parties' intention of marriage and reading the same aloud in the church; the parson as quietly pocketed his fee, and so the matter was cheaply and quickly disposed of. And very seldom, in those primitive days, was the wedding ceremony conducted with any considerable parade or expense, or the wedding party protracted to an unseasonable hour. The entertainment was joyous but simple;—and no dissipation broke in upon the calm hours and holy delights of the nuptial night.

Alas! for the forgotten simplicity and defunct sobriety of the good old times! "Eheu! fugaces!"

Deacon Marvel, even in that unsophisticated age, shocked the sensibilities of his neighbors by the extravagant simplicity of his wedding celebration. He was married at the red cottage in the evening, just a week after his proposals had been so oddly made and so appropriately accepted,—and under circumstances manifesting great contempt for popular notions and "time-honored customs." All that day he was busily at work on his bench, and at noon-tide, without changing his apparel, hurried to the wedding,—as before, mounted on his skeleton horse, and with no better saddle than a chair-cushion secured by a cord. Instead of donning his "*go-to-meetin*" clothes,—his long swallow-tailed blue coat with broad japanned buttons,—his leaden-colored shorts and silver knee-buckles,—his ribbed white worsted hose and varnished shoes,—he made his appearance in working-day trim, with as much cool indifferrence of manner as though he was merely cutting out a pair of shoes.

Before proceeding farther our reader should be told, that the Widow Becket, to considerable beauty united a sound judgment and a very tolerable taste. She understood human nature, and especially Deacon Marvel's human nature, and though somewhat offended by his want of refinement on this occasion, she concealed her feelings, and found abundant consolation in the belief that her administration as Mrs. Deacon Marvel would soon "set matters to rights." Half the young flirts, of even those days, would have been pulling the Deacon's hair and ears in an instant, and have teazed him into a pet or a fever about his bad looks. But the shrewd widow received her uncombed groom with but a smile at his outré appearance, and let him court her and marry her after his own fashion.

Digitized by Google

Our knight dismounted from his charger,—entered the house,—found the parson and a small circle of relations waiting,—slipped his departed mother's wedding ring on the finger of the smiling bride, and a Spanish dollar into the hand of the smiling clergyman,—pronounced the vows,—almost upset his wife at his first rude and unpractised attempt at kissing, actually probing one of her beautiful eyes with his nasal protuberance, —ate a slice of cake, drank a glass of cider,—and then started for home.

In those days horses "carried double," and man and wife rode together on the same nag. There was then no vexatious doubts or disputes in regard to the right or left side of the lady, as the proper place of her gentleman companion,—for the saddle in front belonged as certainly to him as did the pillion behind to her. Deacon Marvel brought his Rosinante to the horse-block, slipped the cushion back for a pillion, bestrode the bare spine of his patient beast, and then called on "Sister Becket," as he still called her, to take her position. He was readily obeyed. The widow sprang lightly into her seat, and wound her arms around the ribs of her new husband, with a grip so close as to make him catch his breath and feel very peculiar. In this situation they proceeded slowly along, something after the Kate and Petruchio fashion, until they arrived at the Marvel mansion in the village.

There we leave them—allowing our reader to imagine all that followed,—the perils of dismounting from their elevated and precarious seat,—the hospitalities of the evening,—and the Eleusinia of the night, —reserving future adventures for a subsequent chapter.

CHAPTER III.

The honey-moon and its consequences.

What miraculous consequences sometimes follow matrimony! What curious variations of habits and feelings, and what revolutions in character (as developed in action) grow out of a simple change from single to double blessedness! Deacon Marvel furnished some pithy illustrations of these interjectional propositions. Marriage and its incidents operated on him like sunbeams on a chrysalis. He melted into life, shook off his scaly covering, and instead of a grub came forth quite a butterfly. The villagers were amazed and even alarmed by the rapid process of reformation through which a few months carried the worthy Deacon. They said it was a "*fore-runner.*"

Well might they wonder. Before the honey-moon had expired, the new-married couple rode to *meeting* (there was no church,) in a wagon of their own, such as had never before blessed the eyes of the inhabitants of the valley: the old family horse-skeleton was consigned to the bark-grinding mill and replaced by a sleek and smart successor, for whom a bridle and saddle were furnished from the best of the Deacon's manufacture; and the good Deacon dashed himself out in an entire new suit, looking some ten years, at least, younger than before. Nor

Digitized by Google

was it long before still greater changes occurred. The Deacon went so far as to build himself a large new house, and talk about a church with steeple and bell, for the convenience of a parish which had thus far always worshipped in the schoo-hlouse. So much for the influence of a judicious woman.

The Deacon was a man who never did any thing by halves,—who never made two bites at a cherry,—as his family history will show.

Acting on the spur of those new feelings which had sprung up in his bosom, he went resolutely forward in his purpose of decorating the village green with "an elegant *meetin'-us*," and by a singular coincidence, the corner stone of that edifice was laid on the very day which made him the father of two lusty boys. We have just said he never did any thing by halves! "My stars," cried he, hearing the happy news just as he had completed the task of laying the corner stone,—"My stars, *Sister Marvel*, you've done well! Sol, fa, sol, la! 'The gentle maid that *twinned* with me!'"

The foundation of the church being laid under such auspicious circumstances, and with such omens of fertility and speedy increase, the work went on with great vigor and high hope. A spacious framework was erected upon this foundation, roofed, shingled, clapboarded and painted with surprising expedition. The inside of the church was not so speedily completed, and in consequence of some unavoidable delay, it was determined to open the house for worship at once, but to postpone the formal dedication till the whole of the work was completed.

Accordingly as soon as the lower floor was laid, and the pews and pulpit erected, although scarcely any thing had been done to the "gallery," public worship was had in the new house. A few loose planks were arranged in the gallery to accommodate "the singers," and the crowd of urchins that always swarm around the highest seats in our synagogues. To keep these boys in order, as well as to lead the music, (for he was both *tything man and chorister*,) the Deacon took his seat also in the gallery. Alas! he little foresaw the catastrophe that awaited him, but in happy security joined in the psalmody, pouring forth a cataract of melody, and making the ears of the audience tingle with the rich nasal twang of his stentorian voice. The psalms were sung, the prayers were prayed, and the chosen chapter of Holy Writ had been read, when the venerable *Elder Mack* rose in the pulpit and announced the text. At that unlucky moment the attention of the Deacon was caught by the grimaces of a young rogue who was "taking off" the minister, surrounded by half a dozen others ready to split with suppressed laughter. The spectacle was intolerable.

> "The sight no longer Blount could bear!
> By heavens and all its saints I swear,
> *I'll hit his head a knock!*"

The angry Deacon sprang furiously forward to visit the pate of the offending urchin with an admonitory rap, trod thoughtlessly, but with all his

Digitized by Google

weight, on the unsupported end of an unfastened board, and the next moment, to his utter amazement, found himself making a flying leap into the midst of the congregation below. He landed most gracefully astride the neck and shoulders of a corpulent old lady, who sunk under the tremenduous shock of his descent into the bottom of the pew, kicking and screaming "like a shot deer or a hurt wild duck." The minister paused in the midst of his text, and the whole congregation arose as though they were about singing the doxology, and every head was turned towards the pew in which the flying Deacon and the fat woman had so mysteriously disappeared. For a moment not a sound was heard—

"Not a drum was heard, nor a funerul note!"

but all was appallingly still; so that Elder Mack began to fear it was all over with both Deacon Marvel and *Mrs. Broaders.* But sounds soon broke upon the stillness of the people—sounds which indicated that a desperate struggle was in progess, attended with no little wrath, pain, affright and confusion. The Deacon had nearly stunned Mrs. B. by his fall, while she in her turn almost annihilated him by the manner in which she dragged him down with her and crushed his unfortunate legs beneath her mountainous weight. Rustling and struggling, groaning, kicking and something that sounded awfully like *cursing*, rose in horrid discord from the invisible pair, and at last, just in time to prevent a general rush of the people to the pew, the lantern jaws of the Deacon appeared above the rail, looking as red and fiery as though his phiz actually was a lantern with a dozen lamps burning within, followed by the broad, blowsy and indignant face of the unhappy victim of his assault, more red, if possible than his, looking like the full moon through an evening mist; the two together presenting in conjunction a spectacle beyond description ludicrous and extraordinary. The Deacon limped back to the gallery, amazingly crest fallen, while Mrs. Broaders, with a vain endeavor to restore her crushed bonnet and rumpled ruff to decent and christian trim, hobbled out of the church and did not again make her appearance for a six-month.

Five minutes, however, sufficed to re-assure and compose the sturdy Deacon, so that he seated himself on the cross-beam of the gallery, with his feet dangling over the broad aisle, and began to meditate on the "*special providence*," as he considered the affray from which he had just escaped.

Alas! for our hero! he would have been a wise man, had he gone home like the lady upon whom he 'lighted so unceremoniously.

Silence having been restored to the congregation, Elder Mack recommenced his discourse. Like most of the old-fashioned preachers, his method of analysing and arranging his sermon was, to divide them into some eight or ten heads, each head being sub-divided into three or four more little heads: thus resembling some of the strange monsters, with their heads and horns, seen by St. John in the Apocalypse. In fact the preaching of one of Elder Mack's discourses was like the conflict between Hercules and the Hydra, in which one head of the beast was hardly cut off and disposed of before two others started up in its place.

Digitized by Google

The minister had now proceeded triumphantly through his "seventhly;" for upwards of an hour had his guttural monotony fallen like a gentle opiate on the senses of his hearers, and he was just ready to grapple with his "eighthly," when his attention was arrested by the head of Deacon Marvel, which had gradually swayed from its perpendicularity, until his chin was now buried in the bosom of his vest, and his body seemed nodding to the cadences of the speaker's voice.

The truth is, Deacon Marvel was asleep. Either he had been kept awake by the squalling of his babies, the night before—or his recent fall had so stunned his faculties as to make him lethargic.

At every emphatic word, as if the Deacon attended to the discourse even when sleeping, his head nodded, and every nod seemed to bring him nearer the floor. The parson was dismayed; what should he do? Once already had the Deacon flown from the gallery, and now it appeared he was about to repeat the experiment, and alas, with no subjacent fat woman to break his fall!

Suppressing a momentary rising of wrath and mortified vanity, Elder Mack resorted to several innocent artifices to rouse and save the slumbering saint. He lifted up his voice like a trumpet; *nod*, went the head. He lowered his tones to a gentle manner: *nod*, *nod*. He pounded the pulpit with his clenched fists; *nod*, *nod*, *nod*. The sweat started on his brow and trickled down his nose, in his excitement, and with his eyes rolling in a sort of phrenzy, he slammed down the big bible upon the desk with a tremendous noise; *nod*, *nod*, *nod*, as before. The audience were surprised and delighted with the unwonted energy of their old parson; they imagined that he had received from on high a new and sudden inspiration, little fancying where he borrowed his ardor. And now, Elder Mack, growing desperate, began to hurl texts of Scriptures at the unsteady head of the sleeper. "*It is high time to awake out of sleep*," cried he. But in vain, Deacon Marvel did not heed it. "*Wo to them that are at ease in Zion*," shouted he. The Deacon nodded his assent. "*Awake, O sleeper, and arise!*" yelled the maddened divine. The only answer was another *nod*, and a most threatening lurch of the Deacon's whole body. Elder Mack could stand it no longer, but called out at the top of his voice, "Deacon Marvel! Deacon Marvel! it is hard preaching to a sleepy congregation!" The Deacon's head flew up to its place at once, and before he could command his tongue, he thundered back, "Elder Mack, Elder Mack, it's a darned sight harder listening to a sleepy sermon!" The effect of this retort was irresistible, and the assembly broke out in a paroxysm of laughter!

CHAPTER IV.

Education, &c. &c.

Not long after the birth of those twin boys, whom the Deacon knew, by a sort of instinct, would be his only children, he became profoundly

Digitized by Google

interested in the theory of parental government and domestic education. Long and deeply did he ponder, meditate, and turn the matter over in his mind. At last his thoughts settled down upon two distinct and conflicting systems, and between these he oscillated like a pendulum between the two ends of its cycloid. These two schemes were afterwards described by his son Joshua, in the chemical language of that day, as "the *phlog*-istic and the *anti-phlog*-istic,"—or the "flogging" and "no flogging" systems. The first assumed as its *fundamental* proposition and basis, the doctrine that a child's conscience is decidedly cutaneous, and resides chiefly in that part which Hudibras asserts to be the seat of honor at a more advanced period in life. It is a sort of manual-labor system,—its chief exercises being flagellation and those various other callisthenic and gymnastic exercises commonly known as corporeal punishments, and which are supposed to beat *in* knowledge and beat *out* the principles of evil at one and the same operation. The other system avoids such distinct and sensible appeals, by rod and ferule, and naked hand, to the cutaneous conscience, and addresses itself to the good sense and inward principles of the juvenal: it is persuasive, not compulsory,—it treats logic and not authority as the basis of family government, and assumes that good arguments are always irresistible and conclusive. Well might the Deacon pause and ponder before adopting either of these opposite modes of treatment. He weighed and measured as well as he could all the arguments upon both sides of the controversy with all the patience of Chancellor Eldon, and with an expenditure of time so nearly rivalling the duration of an equity suit under the administration of that most learned and most hesitating lord, that the wonder was that the parties in interest outlived his dubitation, or that he himself survived it. In fact he never did come to any choice, and when at last a decision was forced upon him, finding with another profound reasoner, (Sir Roger) "that a great deal might be said on both sides," he imitated the even-handed (in) justice" of a board of referees, and dexterously avoiding an avowal of his preference for either side, decided in favor of both, by determining to——

Parents who are blessed with but one child at a birth can never adopt his conduct as a precedent, and "dodge the question" as Deacon Marvel did by determining to——— test at once the merits of both systems, by applying the one to Caleb and subjecting Joshua to the other!

Thus did the sturdy spirit of the Deacon triumph over the perplexity which beset him. When Sampson bore away the gates of Gaza, and when Alexander cut the complexities of the Gordian knot, they merely triumphed over physical obstructions. Deacon Marvel vanquished a difficulty of a far higher grade, and deserves to be esteemed accordingly.

He resolved that while the elder, Caleb, was scolded, cuffed and pounded for all his sins and peccadillos, the younger, Joshua, should hear soft words, gentle reproof, wholesome advice and tender admonition.

Reasoning on common cases and ordinary principles, we should expect this extraordinary conduct would introduce discords and domestic

Digitized by Google

jars into the Marvel family: that the boys would grow up jealous of each other, and that Caleb, the whippee, would soon learn to hate his parents as unjust, and his brother as his natural enemy, the cause of all his sufferings. Providence, however, provided an antidote for this otherwise fatal domestic poison, in the disposition and temperament of the two boys. In fact we suspect that the Deacon's duplex system originated partly, at least, in the diversity of character manifest in his children even while they were in swaddling bands. Had these twins resembled us, and our brothers, what scuffling and squabbling there would have been; what bickerings and heart burnings! We remember with tingling distinctness the day when we were made the scape goat to bear away the sins and receive all the expiatory whippings and spankings due in justice to the other three delinquents, whose ingenuity converted us in the Malachi Malagwesthen of the tribe. Those *happy* days are, alas, flown, and we have outgrown and outlived all those delectable pleasures.

But Caleb and Joshua were admirably adapted to their respective lots and treatments. Joshua, whose skin was predestined to remain unbroken in its integrity, was one of those quick, retiring, inoffensive bodies, whose conduct, if it never merits strong commendation, never incurs a reproach, nor deserves a censure. On the other hand, Caleb, as if aware that the rod must come, and yet resolved that it should neither come without a cause, nor be remembered a moment, was as boisterous and mischievous a mad cap as ever pulled his nurse's hair, or tried a mother's patience. Frolic and fun and deviltry were natural to him. He was the most inveterate truant that ever broke leading strings. Mud-pies were his delight. He bore castigation like a martyr, and gloried in stripes and persecution. In his frequent elopements it was matter of doubt, so nearly amphibious was he, whether he was to be sought for by land or water. He was found one day, long before he was out of petticoats, up to his neck in a tub of rain-water near the door, frolicking with a shad that had been placed there to keep fresh. His energy in mischief was so active as sometimes to inspire and carry away his gentle brother. Being at one time expelled from the sick chamber of his mother, for blowing his willow whistle, he went out, and taking Joshua with him, they both vanished. Presently a distant whistling noise was heard, which seemed to issue from the bowels of the earth. Search was thereupon made, and the missing boys were discovered at the bottom of the well, blowing their bark trumpets in wonderful unison!

It will be readily imagined that their domestic education was not the only cause of perplexity to the worthy Deacon. The school-boy age arrived, and new drafts were made on the paternal treasury,

> "For children fresh expenses get,
> And Bobby now for school was fit!"

We will not dwell on the joys and sorrows of this new period of boyish existence, and parental anxiousness. It will or must now suffice to say, at fourteen years of age, Caleb had sobered down into an industrious and

Digitized by Google

active fellow, whose energies were so well directed that he had become his father's "right hand man," while the gentle Joshua, whose only decided passion was love of books, was sent from home to qualify for old "Yale."

We have said that Caleb had cooled down and become discreet and manly. Indeed the change was so complete that after this period he never committed any act which appeared to authorise the old gentleman, ready as he was to use the rod, in again chastising the child by way of punishment, and so the instrument of authority was laid aside, although still within reach. The odd old man was greatly troubled by this unexpected state of things. He was fearful that something was wrong, and that a protracted scene of domestic concord would lead to serious evils. "Jeshurun waxed fat and kicked," thought he; and he was alarmed lest Caleb's depravity, so long hidden and suppressed, would gather volcanic energy and break out into some awful eruption. He was afraid his son might become proud, conceited, and at heart a rebel, if by this course of good conduct he was allowed to escape all exhibitions of the paternal power, the "patria potestas." He therefore devised a most ingenious mode of preventing such calamities, of inculcating the feeling of reverence and obedience, and of vindicating at once the father's authority and the propriety of the *cutaneous system.* The plan he hit upon was this. At midnight, once a year, on the night preceding Caleb's birth-day, precisely as the old dutch clock in the kitchen struck the hour, Deacon Marvel called up Caleb from his bed, lectured him most pathetically on the subject of obedience and good conduct, on filial subordination, or what he styled pa-rental and ma-rental duty, and on the danger of "sparing the rod, and spoiling the child;" precisely, I say, as the clock struck, Deacon Marvel did the same, and he went on the principle of announcing the age of the boy by the number of lashes, thus increasing the allowance from year to year, so that the system thus adopted begun with fifteen blows, smartly applied, and was destined to close with a grand finale of one and twenty.

Alas! for the wisdom of those good old times! modern degeneracy may sneer at this family rite, this annual festival of authority, this passover of scourging. But can it discover a better mode of treating children? A venerable Massachusetts doctor* attributed the disobedience of the recent generations of children to the rupture between England and her North American colonies! We think it has been generated by the modern abandonment of the birchen rod and hickory twig. But we will not pause here to agitate the question.

This annual expression of fatherly regard, this *endorsement* of the son by the father, was always given in the presence of the tender-hearted but submissive mother, whose tears did much to heal the wounds produced by the executioner. Caleb conducted himself on these occasions to admiration. He knew his father's foibles and bore with them in all kind-

* Dr. Holyoke of Salem. See his Biography by Pierson.

Digitized by Google

ness and forbearance. He knew and *felt*, (at least once a year,) that on this earth there is nothing so pure and holy and precious as a parent's love, nothing more grateful to the Divine nature than filial duty and affection; and knowing this, he endured his stripes with Spartan fortitude until the last year of his minority came round.

"Thank heaven, to-night puts an end to corporeal proofs of my father's regard! To-morrow I am a man, and then good bye to castigation."

Such were Caleb's thoughts as he came homeward from the field on the last evening of his minority.

"But," continued he, "this last scene, this final display of '*pa*-rental and *ma*-rental' authority, will doubtless be uncommonly striking—God help my patience. My shoulders ache at the bare idea. I must contrive some way to escape from this sore trial."

As he meditated, a suggestion occurred to him that promised a safe deliverance, could his plan be effected without suspicion. He quickened his step, entered the house, greeted his mother with more than his usual cheerfulness, and speedily communicated to her his plan of salvation. The good old lady was delighted, for she had been weeping over the expectation of the final crowning act of torture.

"It will do, Caleb, for *sartin*," said she, looking at the old clock, "for your Pa would never think of *licking* you after you are free."

The old man presently came in to supper, and looked a little surprised to find his wife half smiles, half tears—

"A smile on the lip, and a tear in the eye,"

and Caleb with a grin of satisfaction on his face as broad as the shield of Minerva. The Deacon was himself unusually sober, and before sitting down to eat, he besieged heaven with a prayer of portentous length and significancy, alluding so pointedly to the approaching midnight ordinance, and coupling it so strangely with the story of Abraham offering up Isaac as a burnt offering, that Caleb half fancied the Deacon cherished the bloody purpose of exactly imitating the patriarchal example. The grace ended at last, as it seemed, rather because the Deacon's legs got weary, than because his desires were fully uttered, and the evening meal was eaten by all parties in silence. The remainder of the evening passed off more sociably, for the Deacon made one or two allusions, in rather a sly manner, to the approaching solemnity of Caleb's manumission.

At nine o'clock the old people retired to the adjoining bed-room, wishing the son good night.

"Do not sit up too late, Caleb," said the father.

"No sir," said Caleb, "and father, be careful not to oversleep yourself, for the morning finds me a free-man!"

"Do not flatter yourself, Caleb, that I shall forget you," replied the Deacon, while his wife shook her head deprecatingly at the foolish boy.

No sooner was the bed-room door closed, than Caleb hastened to the old clock, removed the *striking* weight, ("a good omen," thought he,) and set the hands forward two hours. By this arrangement the hands

Digitized by Google

would indicate two when the hammer told twelve; so the young man took off the clock head and substituting his finger for the bell, touched the spring and made the clock strike ten, eleven, twelve and one in silence, thus making sure that the machinery should not contradict itself and betray him. As midnight approached Caleb restored the weight and retired.

At the regular and awful hour uprose the Deacon, drew on his inexpressibles, stalked into the kitchen, and summoned Caleb.

"Caleb, my son, don't stop to dress yourself; it will only be labor lost! your mother is asleep."

Caleb made his appearance, *sans* delay, and *sans culottes.* His first act was to light a lamp,—his next to place it so that its rays should fall directly upon the time-piece. He then sat down by his father.

"The time has almost come, my dear boy," said the patriarch, "when my authority must end, and you become a man. No more after this night will you feel the wholesome chastisement of my rod." ("Thank fortune for that," said Caleb, inwardly and fervently.) Here the Deacon drew his fingers along the full extent of a formidable switch which he had prepared for the occasion. He rose and ordering Caleb to stand up, the clock that moment struck. One!—up went the Deacon's hand, Two! The rod began to descend, but Caleb started aside, and called out, "I am free! I am free! look at the clock!" The old man looked, rubbed his eyes and looked again. There was no mistake, it was evidently two o'clock,—the clock struck but twice!

"My stars, Caleb, it is *too* late, you are out of my power,—you are a man and I'll burn up the rod!"

At this moment Caleb saw a fair matronly face, clad in (night-cap and) smiles peeping through the bed-room door,—and thereupon, after a single meaning glance, remembering his Jacobinical condition as to dress, he very considerately blew out the candle.

The Deacon retired in profound silence and amazement. He deemed it certain that Providence, as in the case of Isaac and Abraham, had interposed and rescued Caleb from his cruel kindness; and revolving these ideas in his pious brain, he fell asleep. Caleb *backed* the friendly hands of the time-piece to their true place on the dial, and went laughing to bed.

We have only to add, that the Deacon died at last in utter doubt which of his two schemes of discipline was the true and orthodox system.

Digitized by Google

NAPOLEON LOUIS BONAPARTE.

BY A FRIEND.

Napoleon Louis Bonaparte was born at Paris, on the twentieth of April, 1808, and was baptised by Cardinal Fesch, at Fontainebleau, in 1811. At the age of seven, he left France with his mother. Like the King of Rome, he seemed to have resolved not to become an exile. It was with the greatest difficulty that Queen Hortense succeeded in consoling him. At Malmaison, when the Emperor came to take his last farewell of him, it was necessary to tear the child from his arms. On leaving France, Queen Hortense went to Switzerland, where she purchased an estate on the shores of Lake Constance, which is now well known by the name of Arenenberg. Queen Hortense bestowed the greatest pains on the Prince's education. He was taught not to regret the prerogatives he had lost, and to feel that his name imposed many and difficult duties, which it was to be the chief object of his life to fulfil.

Many interesting anecdotes of his childhood may be found in the memoirs of Madam Parquin.* He early evinced striking firmness, and the generosity which has since won him so many hearts. He has always applied himself with great assiduity to the study of mathematics and artillery, and was admitted to the camp of Thun, in the canton of Berne, where many young men study engineering. With his knapsack on his back, his compass in his hand, living on a soldier's fare, the Prince shared in all the lessons and expeditions of his comrades on the glaciers. It was at Thun that he first heard of the revolution of July. The beloved country, he had so long and so anxiously desired to serve, was now open to him. His friends and himself congratulated each other on the resurrection of liberal ideas in Europe, and on his return to France, for how could they suppose that she, when free, would continue to persecute those whose only crime was loving her?

The pain young Napoleon Louis experienced at finding all the hopes the revolution had excited, destroyed by the conduct of the new government, may easily be imagined. The following letters written at the time, by Queen Hortense, show what were her feelings and opinions on this subject:

"ARENENBERG, *September 2d*, 1830.

"You say you are desirous to hear from me. I rejoice with you at the happiness of France. You must have seen how difficult it was to restrain the enthusiasm of

---

* Louisa Cochelet was educated by Madame Campan; she became the *lectrice* of Queen Hortense, in 1801, and accompanied her to Switzerland, where she was united to Mr. Parquin. She continued to reside near Queen H., to whom she was much attached until her death, which took place in 1836.

Digitized by Google

my children, notwithstanding my wish that they should not come forward in any way, but they have been taught to appreciate all that is noble and great, they are proud of their country, which they would be happy to serve, and they are from twenty to twenty-five years of age.

"It was not for us to refuse to acknowledge the right of a nation to choose its sovereign, but I have just heard of a law which both surprises and grieves me. Is it possible, that at this moment of enthusiasm and liberty, France should refuse to open her arms to all her children? To those who for fifteen years have shared in all her humiliation and suffering? If Napoleon gave a glory to the country which it acknowledges, why does it repulse every one that belongs to him? None of the number of the Bonaparte family thought as yet of returning to France. Their position was delicate, and without an invitation from their country, they could not enter it. They are now as unfortunate and unprotected as before; they are again exposed to the persecutions with which various governments formerly harassed them. What can I say to my children, I, who seek only to moderate the ardors of their youthful feelings, and to cherish in them the love of their country and of justice? I can now only teach them that man is ungrateful and selfish, but that we must love him, and that it is always sweeter to forgive injuries than to cause suffering. Farewell, you wished to hear from me; you see that my feelings of the moment are painful. I did not intend going to Paris, far from it. I was preparing for a journey to Italy, but the infliction of that law, which expels us forever from that country we love so well, and where we still hoped to die, has removed all my grief. This sentence, at the time it was first pronounced, was afflicting, but then it proceeded from our enemies; renewed by those whom we believed to be our friends, it goes directly to the heart."

"ARENENBERG, *Octoler 2d*, 1830.

"I have received your letter, Sir, and am much touched by the feelings which induce you to publish a work in favor of the Bonapartes, who are once more banished from France. No one more deeply regrets the severity of this law than myself, but I am resigned to it, for I do not like to accuse my countrymen of ingratitude, and I am told that they have powerful motives for prohiting our return to France. Our absence, it is said, is necessary to the happiness and tranquillity of our country; it is to be but momentary. Our first interest has always been the glory and prosperity of France, it is therefore our duty to submit to this law."

Napoleon Louis passed the winter of 1830, at Rome with his mother. The Papal governnment, fearing an insurrection in the states of the church, considered the presence of a nephew of Napoleon as dangerous, and compelled him to leave Rome. He joined his brother at Florence, and the insurrection soon after broke out. The young men, naturally anxious about their mother, wrote to entreat her to come to Florence. She did so, and when she arrived, found that they had left. They had joined the insurgents!—Cardinal Fesch and their uncle Jerome, who had remained at Rome, entreated them to leave the army, and wrote to the provincial government at Bologna that they would injure the Italian cause, but it was all in vain. They had been received with the greatest enthusiasm by the army, and did not doubt the success of their cause. Alas! they were soon undeceived. The history of this insurrection is so well known, that we think it is unnecessary to enter into any particulars. When the Austrians entered Romagna, the insurgents retreated on Forli, where the younger brother of Napoleon Louis expired after a few hours illness. Queen Hortense was at that time at Foligno, but knowing that the insurgents would ultimately take refuge in Ancona, she resolved to set out for that city. At a short distance from Foligno,

Digitized by Google

a calèche drew up by the side of her carriage, and a stranger alighted from it—but we will continue in the words of Queen Hortense. "I trembled violently, although I hardly knew why. The stranger came from my children. 'Prince Napoleon is ill,' said he; 'he has the measles, and is anxious to see you.' At the words: *anxious to see you*, I exclaimed—then he must be ill! I hastened to retrace my road. I had but one idea—to fly to my son, to take care of him, if it were not too late! It was in vain that I said to myself, I have been too unfortunate! No, it is not possible! Heaven is just! This would be too much for me! Ah! no! he will not die—he will be restored to me. I remained without strength or courage. The messenger sent from Forli—the faces of those who surrounded me, seemed to foretell that some misfortune had taken place. I did not dare to ask a question. Suspense even was a blessing. And notwithsanding I heard the people who surrounded my carriage at every post-house, repeat the dreadful words: Napoleon is dead! Napoleon is dead! I heard it, but could not believe it. I was almost dead too, I believe, for I felt nothing, asked for nothing, cared for nothing.

"I arrived at Pesaro, at the palace of my nephew, I was insensible and was laid upon a bed. It was there that my unfortunate son Louis, bursting into tears, threw himself into my arms, and told he was now alone in the world; that he had lost his best friend; and that but for me, he would have died of grief on that inaminate body he would not quit. * *

"My strength was utterly exhausted. No one thought it possible for me to travel in the state I was then in, but still it was necessary for us to fly. The Prefect of Pesaro asked to speak with me. He informed me that the Austrians were fast advancing, and besides, that vessels were seen in the Adriatic, which might land other troops on the coast. In that case all retreat would be cut off. * * * *

"I had my son's life to save. My courage returned. I sent directly for horses and was carried down to my carriage. The next day we arrived at Ancona."

Queen Hortense had been informed that her son would not be allowed to reënter Tuscany; the Austrian minister at Florence declared that he would not be permitted to return to Switzerland, and besides, he was excluded from the amnesty proclaimed by the Austrians on entering the Papal territory. She therefore determined to make use of the passport given her by an English gentleman, and accompany her son to Paris, where, notwithstanding the law, which prohibited him from entering France, she felt that he would be in safety. This step has been censured and misrepresented, but with the impartial, the circumstances which induced her to take it, must fully justify it. It was advisable to lose no time in setting off, and the despair of Queen Hortense may be imagined, when, on going to her son's bedside, she discovered that he had the measles. A week elapsed before he was sufficiently well to travel. During that time the Austrians entered Ancona, and their commander-in-chief

Digitized by Google

was quartered in the palace where Queen Hortense was staying. Fortunately he believed the report that Napoleon Louis had embarked for Corfu, and treated Queen Hortense with respect and attention.

The space allotted us, will not admit of our dwelling upon the dangers and difficulties which attended the journey of Louis and his mother. Directly they had arrived at Paris, Queen Hortense sent for Mr. D'Houdelot, Louis Philippe's aide-de-camp, and informed him of her wish to see the King. She was received the next day by Louis Philippe, to whom she communicated her motives for coming to Paris; Louis Philippe begged her to preserve the strictest incognito, and said that he had concealed her arrival from every one, except from the President of the Council, Casimir Périer. He expressed his wish to be of service to the Queen, and when she informed him that her son had written a letter—requesting Louis Philippe to allow him to serve France in any way, were it only as a common soldier; he said: "send me that letter."—When Casimir Périer called on Queen Hortense, she showed him the Prince's letter; he read it, approved of it, and said: "the Chamber will doubtless discuss the propriety of revoking the law which exiles the Emperor's family. It is possible that your son's letter will then be published." Notwithstanding this, no further notice was taken of it.

It was decided by Louis Philippe that Queen Hortense should proceed to London, with her son, and from thence write him, requesting his permission to return to Switzerland, through France. They were to pass two days at Paris, but the newspapers were not to speak of their visit until after their departure. Périer, after making these arrangements, said to the Queen: "the nation will thus become gradually accustomed to seeing you in France. As to yourself, general consent would be instantly given to your returning to France, but your son's name is an obstacle to his return, and if he should wish hereafter to enter our service he must change it. We are obliged to be prudent with regard to foreigners; there are so many parties in France, that war would ruin us." The astonishment and indignation of young Napoleon, when his mother repeated these words to him, may be easily imagined. Although he was ill at this time, Casimir Périer did not conceal his anxiety to have him leave Paris, and at length sent Mr. D'Houdelot to inform Queen Hortense, that unless her son's life were in danger they must leave Paris on the following day. This was on the evening of the fifth of May. The physician who attended the invalid was instantly consulted, and decided that he might set off, provided he travelled very slowly. The interesting fugitives accordingly left Paris the next morning. When they arrived at London, Queen Hortense resumed her own name, and every one believed she had just arrived from Malta. During his stay at London, Napoleon Louis became convinced that the government of July, instead of supporting the cause of liberalism, as it had been supposed it would do, had determined to abandon it every where. Many emissaries were sent to him to persuade him to appear in France, saying that if he would

Digitized by Google

but do so, the nation would instantly declare in favor of the Duke of Reichstadt. Prince Napoleon's only reply to these entreaties, was: "I am anxious to serve my country, but have been repulsed. France has chosen a new sovereign; it is my duty to submit to her decrees."

On the first of August Queen Hortense received her passport and instantly left London. As she did not wish her son to reënter Paris, she returned to Arenenberg, without seeing any of her old friends. It was at this time that the Poles sent a deputation to Louis, requesting him to accept the command of their army, and assuring him that the presence of the nephew of Napoleon, and the re-appearance of the tri-colored flag on the banks of the Vistula, would produce a moral effect of which the consequences would be of incalculable importance. He could not resist this appeal to his generous sympathies, and was preparing to set off for Poland, when he learnt the surrender of Warsaw. Unable to assist this unhappy nation as he had wished, he has constantly exerted himself in the behalf of those who so heroically sacrificed themselves for its liberties, and no poor exile ever applied to him in vain for assistance.

Europe gradually relapsed into apparent calm, and Napoleon Louis returned to the studies which had occupied him before the revolution of July. He soon published a pamphlet, entitled "Political and military reflections on the Swiss confederation." This work was considered as very remarkable for so young an author. The government of Thurgovia, soon after its publication bestowed upon the Prince the rights of citizenship in that canton. He returned his thanks for this mark of its esteem, in the following letter:

"ARENENBERG, *May 15th*, 1839.

"Sir:—I accept the rights of a citizen of Thurgovia with the greatest pleasure. I am glad that a new tie now binds me to that country, which for sixteen years has extended to us the most generous hospitality. My position as an exile, renders me doubly sensible to the interest you show me. As a Frenchman and as a Bonaparte, I am proud of being the citizen of a free country. My mother desires me to tell you how much she is affected by your kindness to me. I remain, sir, etc."

In 1834, Prince Napoleon published a work on artillery, for the use of the Swiss troops; and was named captain of artillery by the government of Berne. He then wrote to the Vice President Tavel as follows:

"Sir—I have just received the letter which informs me that the executive council of Berne have conferred the title of captain of artillery on me, and hasten to express to you my gratitude for this nomination. My country, or rather the French government, repulses me because I am the nephew of Napoleon; you are more just. I am proud of being numbered among the defenders of a state in which the sovereignty of the people is considered as the basis of the constitution, and where every citizen is ready to sacrifice himself for the liberty and independence of his country.

I am sir, etc."

In 1835, it was said, with how much truth we know not, that many of the Portuguese of rank and distinction were anxious to unite their young Queen to Prince Napoleon Louis. Various newspapers having repeated this report, the Prince contradicted it in the following letter:

Digitized by Google

"ARENENBERG, *December 14th*, 1835.

"Several newspapers have announced my departure for Portugal as an aspirant to the hand of Queen Donna Maria. However, flattering may be to me the supposition of an union with a young and virtuous Queen, the widow of a cousin who was dear to me; I consider it my duty to contradict such a report, as no step with which I am acquainted can have given rise to it. I must even add that notwithstanding the lively interest I take in the destiny of a nation, that has succeeded in obtaining its independence, I should have refused the honor of sharing the throne of Portugal, had it been proposed to me. The noble conduct of my father, who abdicated in 1810, because he could not ally the interests of Holland to those of France, can never be forgotten by me. By his example, my father has taught me how much one's native land is to be preferred to a foreign throne. Accustomed as I have been from my childhood to love my country above all things, I cannot prefer any thing to the interests of France. I am convinced that the name I bear will not always be a cause of proscription in the eyes of my countrymen, as it reminds them of fifteen years of glory, and I am calmly waiting [in a free and hospitable land, till the people shall recall those who were banished in 1815, by one hundred thousand foreigners. The hope of serving France at some future day, as a citizen and a soldier, supports and consoles me, and is more precious to me than all the thrones in the world."

On the first of November, 1836, a supplement of the Moniteur, published in the afternoon, contained an account of the abortive insurrection of Strasbourg, and of the arrest of Napoleon Louis. This news excited the greatest astonishment. Those who were most favorably inclined towards the Prince, could not but blame him for venturing upon what they deemed a most rash undertaking. The pamphlets since published on this subject sufficiently explain what were the motives that induced Louis to act as he did, and fully justify him from the imputation of having entered upon this enterprise without mature consideration. It is, we believe, not generally known, that in 1832, a large portion of the French army were in readiness to receive Napoleon II, as soon as he should appear on the frontiers, but as he could not join them until they had publicly declared themselves in his favor, they proposed to receive Prince Napoleon as his representative, provided he were the bearer of a letter from the Duke of Reichstadt. The death of this unfortunate young man put an end to this plan, and the hopes of his party centered in Louis Napoleon, whose name, character and opinions, whose relationship to the amiable and beloved Josephine, and to the brave, loyal and disinterested Eugene, were likely to insure the respect and affection of the French nation. He was urged to come to France immediately, but refused doing so. As we have already stated, Louis, while at London, perceived that the government of July had no intention of proceeding in the road pointed out by its interest as well as by its duty; he saw Italy and Poland successively abandoned; he saw that the interests and glory of France were daily sacrificed, in order to obtain the approbation of the Great Powers, but still he restrained his feelings and waited calmly, hoping that the government of Louis Philippe would at length do something worthy of its origin, something that would merit the approbation of the generous and the patriotic of all parties. In vain! The *émeutes* of Paris and of Lyons, the dismissal of the national guards of Lyons,

Digitized by Google

Grenoble, etc., could not but confirm his conviction of the weakness of the government, and of the general disapprobation its conduct had excited.*

In 1833, Lafayette desired to see Louis, and the latter accepted his invitation. It may surprise some persons to learn that he was so willing to meet one who had lent his aid to overthrow Napoleon. It must be recollected that Lafayette had long since expressed his regret at having done so. Besides, it was the opinion of Louis that the national party should forget reciprocal injuries, and be united in order to be strong. "No one," he often said, "shall have cause to say of me, as the Emperor did of the Bourbons, that during a long exile, they had learnt nothing, and forgotten nothing." Lafayette received the Prince with great cordiality. He told him that he now repented of what he had done in 1830, "but France is not republican;" he added, "we considered the Duke of Reichstadt as a prisoner, and there was no one but Louis Philippe whom we could place at the head of the nation." He then entreated the Prince to seize the first opportunity of entering France, as he considered it impossible that the actual government should stand, and that his was the only popular name. Prince Napoleon was now anxious to know something of the sentiments of the republican party. He sent one of his friends to Armand Carrel,† under the pretext of offering him a copy of the Manual of Artillery we have already mentioned. Carrel, in his conversation with the envoy of Louis, showed himself to be a pure and disinterested republican, but seemed to have little hope that his ideas would soon be realized. "The republican party," said he, "contains the most active and generous members of society, but it is undermined by two causes which will long paralyze its efforts. The first is the great mistake made by our imprudent young men, who are constantly recurring to an epoch which cannot be appreciated by the many; the second, and the greatest, is the want of a chief, and the impossibility of finding one under existing circumstances." "But," returned Louis's friend, "have not your works, your talents and character already placed you in that position." "Since the death of Lafayette, some have supposed so," said Carrel, "but, believe me, to play such a part, far higher qualities and more brilliant talents than mine are requisite. If I cannot succeed in rallying a single party, how can I possibly rally all?" The conversation now turned upon Louis Napoleon. "His political and military works," said Carrel, "prove that he has a noble character and a strong mind. His name is the greatest of modern times. If he understands the new interests of France, if he is willing to forget his rights of imperial legitimacy, and think only

* He loved his country too well, however, to be willing to hazard her tranquillity, by an attempt to overthrow the government of July, until he had ascertained with certainty that the majority of the nation viewed the course it had pursued, as he himself did, and wished for a new order of things.

† Armand Carrel, the young and talented editor of the National, was killed in a duel, in 1835.

Digitized by Google

of the sovereignty of the people, he may yet be called to play a great part." These words were repeated to Louis and made a great impression on him. The following extract from a letter written a year or two later, show how clear and just are his ideas concerning himself, and the circumstances in which he has been placed.

"ARENENBERG, *January 30th*, 1835.

"As to my position, believe me, I understand it fully, although it is very complicated. I feel that as yet I am only known by my *name*, not by my *deeds*. I am an aristocrat by birth—a democrat by nature and by opinion; I owe all to inheritance, and require every thing from election. Courted by some for my name, by others for my title, taxed with personal ambition as soon as I step beyond my accustomed sphere, accused of apathy and indifference if I remain quiet; in short, inspiring both liberals and absolutists with fear, because of the influence of my name, I have no political friends but among those who, accustomed to the caprices of fortune, think that by some chance I may one day be useful. It is because I see all the difficulties that would impede my progress in the beginning of any career, that I have made it a rule to follow the impulses of my heart, my reason and my conscience, and never to regard any consideration of secondary importance, when I believe that I am acting for the general interest; in short, to walk in a straight line, without heeding all the difficulties that obstruct my path."

After Alibaud's attempt on the King's life, Louis heard from several political personages. They wrote: "we cannot enjoy the present, for we live in constant dread of the future. During the last six years, the government has repressed all noble sentiments, without inspiring confidence or giving security. The King's life is constantly in danger. If one of these attempts were to succeed, we should be exposed to the most serious evils, for there is no one party in France strong enough to rally all others, and not a single man who inspires general confidence. Thus situated, we call upon you. Your name, character and opinions, induced us to consider you as a *point de ralliement* for the popular cause. Hold yourself in readiness to act, and when the time comes, friends to your cause shall not be wanting."

In July, 1836, Napoleon Louis went to Baden-Baden, in order to be nearer France, and to judge of the state of the country for himself. He was visited there by several inhabitants of Alsace and Lorraine, who all expressed the same aversion to the government of Louis Philippe, and the same friendship towards himself. It was at a ball at Baden that the Prince first met Colonel Vaudrey. This brave officer had entered the army at the age of twenty, had seen more than forty battle fields, and had received the cross of the Legion of Honor, and the grade of superior officer from Napoleon. Soon after the revolution of July, he was sent to direct the artillery of Bastia. He justly considered his nomination to this post, as a kind of exile, inflicted by those who wished to stifle all recollection of the glory of the empire, and of the liberty that had been promised France by the new government.

Louis invited Colonel Vaudrey to visit him. The invitation was accepted, and after talking half an hour of past times, of the glory of the empire, etc., the Prince told his new friend that he thought he would be

Digitized by Google

well received, should he appear in France. "A revolution," said he, "can only be excusable or legitimate, when made in the interest of the *majority* of a nation. If we only use *moral influence* to effect our purposes, we can ascertain with certainty, whether a revolution is universally desired. If the present government has committed sufficient faults to make another revolution desirable, if the government of Napoleon has left sufficiently deep roots in the nation, I have but to appear before the army and people, to remind them of their former prosperity and glory, of their present humiliation and grievances, and they will join me. France wishes for national institutions as representatives of their rights; for a man or a family to represent her interests. She wishes for the popular principles of the republic, accompanied by stability; for the national dignity, the order, the internal prosperity, but not the conquests of the empire; she might desire the external alliance of the restoration, but what can she wish or hope for from the present government? My ambition is to appear with the most popular and glorious of banners; to rally all that is generous and noble in every party around me; to restore the national dignity without war, liberty without anarchy, stability without despotism. To succeed in this plan I must be acknowledged and assisted by the people, for from the people alone proceed reason and justice." Colonel Vaudrey at first attempted to dissuade the Prince from his project, but when he found that every argument he could use did not shake his resolution, he did not positively decline assisting him should he afterwards require his service. His admiration of Napoleon, his enthusiasm, when speaking of the glorious days of the *grande armée*, and the dissatisfaction he expressed at the conduct of the present government, led Louis to believe that he might, in case of necessity, depend on his assistance and fidelity.

It was at this period that Prince Napoleon became acquainted with M.M. Gricourt and Querelles, two young officers, whose political opinions coincided with his own, and who declared themselves ready to join him, in attempting to establish a more national government in France.

One evening, after one of those brilliant fetes for which Baden-Baden is celebrated, he mounted his horse, accompanied by a friend, and soon arrived at Strasbourg. In a room hired for the purpose, fifteen officers met that night. When they heard that Prince Napoleon was about to appear before them, they exclaimed enthusiastically: "the Emperor's nephew shall be welcome! He has nothing to fear; he has confided in us; we would defend him at the peril of our own lives!" Louis then made his appearance: "gentlemen," said he, "I have confided in your honor; I have perhaps risked my life in order to see you. I wish to learn from yourselves what are your feelings and opinions. If the nation views the present state of the country as I do, I think I can be useful. The great man is no more, but our cause is the same as in his time. The eagle, that sacred emblem, represents, as in 1815, the rights of the people and the national glory. I act not from personal ambition,

Digitized by Google

therefore tell me if I am wrong, and although exile with its cares and sorrows has weighed heavily upon me, I will resign myself to living in a foreign land, until happier days." "No!" exclaimed the assembled officers, "you shall not languish in exile; we have long sympathized with you; we will restore you to your country."

Relying on the approbation of the majority of the nation, and on many friends in the army, and in the influential classes of society, the Prince now only awaited a favorable opportunity of putting his projects into execution. He wrote to General Voirol, who commanded the fifth military division at Strasbourg, requesting an interview with him, at any place he might choose to appoint. General Voirol instantly dispatched this letter, accompanied by the following one, to the Minister of War.

"STRASBOURG, *August* 18*th*, 1836.

"Sir—I received a letter from Prince Napoleon Louis Bonaparte, which I think it my duty to lay before you and before the King. This letter might appear unimportant, had the Prince not written to several other officers. Mr. Raindre, one of these officers, and the bearer of my despatch, has had an interview with the Prince at Kehl; he will relate to you all that was said on both sides; he will tell you that the Prince fancies he has a powerful party in France, and that should any change take place, all the partisans of the Emperor would gather around him. He even hints that a military insurrection is about taking place. The Prince's language to Mr. Raindre sufficiently explains to me what was his object in requiring an interview with me; nothing but my conviction of this, would have induced me to mention the circumstance to you; in any other case, my conscience would have been satisfied with the verbal answer I gave the Prince's emmissary; viz: I honor the memory of the Emperor, I respect and pity the misfortunes of his family; but above all things I respect the laws of my country, and as one of them prohibits the Bonaparte family from entering France, I cannot accede to Prince Napoleon's request.

"You will understand the necessity I feel of informing you of the actions and views of the Prince, but you will doubtless agree with me in thinking that my letter must remain confidential."

"VOIROL."

At the end of August, Prince Napoleon Louis left Baden-Baden for Thun, where, although greatly occupied by military studies, he did not lose sight of politics. He soon learned that a Doctrinaire Ministry was once more entrusted with the fate of his country, and that the blockade of Switzerland had greatly irritated the population of the frontiers. He felt that the time for action had come, and he prepared for his enterprise. His plan consisted in throwing himself into a large fortified town, in rallying the people and the garrison by the magic of his name and his daring, in reaching Paris by forced marches, taking with him all the disposable forces, in persuading the national guard, the regular troops, the citizens and countrymen he met on his way, to join him. Of all the frontier towns, Strasbourg seemed best calculated to favor the execution of this plan. The population was patriotic and opposed to the government, which had been obliged to dismiss its national guard. A garrison of eight or ten thousand men, considerable artillery, an immense arsenal, and resources of every kind, united to make it a most important place, which, if it only espoused the popular cause, would greatly influence the

Digitized by Google

rest of France. The news of a revolution effected at Strasbourg, in the name of the sovereignty of the people, and headed by Napoleon's nephew, was likely to excite universal enthusiasm. If the popular cause triumphed in Strasbourg, the national guard would be immediately organized to guard the town; the young citizens would join the garrison as volunteers; and every thing would be prepared for marching the second day on Paris, with more than twelve thousand men, a hundred cannon, ten or twelve millions of cash, and a convoy of arms for the purpose of arming the people on the road. The example of Strasbourg would be followed by all Alsace. The road lay across Champagne and Lorraine. How many recollections must be thus necessarily awakened! What course was the government likely to pursue under these circumstances? Supposing it had time to rally the garrisons of Lille and of a part of the northern frontiers, could it at once preserve order in the capitol, and put an end to a popular insurrection, that had been commenced with so much energy and enthusiasm? To an army of citizens and soldiers thirsting for glory and liberty, the government could only oppose men, whose fidelity must have already been shaken by the contagious example of revolt, and by the enthusiasm which every Frenchman feels for all connected with the name of Napoleon.

On the twenty-fifth of October, 1836, Prince Napoleon Louis left Arenenberg under the pretext of paying a visit to his cousin, the Princess of Hohenzollern-Hechingen. What were his feelings at the time of his departure, we learn from the following letter, written on board of the vessel which conveyed him to the United States.

"You know what was the pretext I gave for my departure from Arenenberg, but you do not understand was then going on in my heart. Convinced that the Bonaparte cause is the only national one in France, the only civilizing one in Europe, proud of the nobleness and purity of my intentions, I had determined to raise the imperial banner once more, or to fall the victim of my political opinions.

"I set off by the same road I had taken three months before, to go to Baden-Baden. Every thing was the same around me, but alas! how different were my feelings! I was then gay and serene as the day that shone on me; now, sad and thoughtful, the depression of my spirits was increased by the damp and chilly asmosphere which surrounded me. I may be asked what could induce me to abandon a happy home, to incur all the risks of a hazardous enterprise. I can only answer that a secret impulse led me on, and that on no consideration, would I have delayed an attempt which seemed to present so many chances of success. It is most painful to me to think, that could I have followed my first plan, instead of being at this moment under the equator, I should be in my country.

"What is to me the opinion of the vulgar, who will call me a madman, because I did not succeed, and who would have exaggerated my merits had I triumphed."

Some political personages had agreed to meet Prince Napoleon in the grand-duchy of Baden. On leaving Arenenberg he instantly repaired to the appointed place of rendezvous, but his expected friends were not there. He waited for them three days, but in vain. Time was precious. The French government might hear of his journey and watch his motions. Where success depended so much on secrecy, an hour's delay might prove fatal. The presence of superior officers, who were well

Digitized by Google

known to the army, would have been useful to the Prince, but on the whole, was not indispensable. He therefore determined to lose no more time, and set off for Strasbourg, where he arrived on the twenty-eighth of October. On the succeeding day he held a council with several officers, in order to determine upon the measures it was proper to take on the thirtieth, the day appointed for the commencement of the insurrection.

It was agreed that the first thing requisite was to win a considerable armed force over to the Prince's side, so that the feelings of the inhabitants of Strasbourg might not be repressed by the authorities. After some discussion, it was decided that the Prince should present himself to the fourth regiment of artillery, at the Austerlitz barracks, and from thence proceed to the Finkmatt barrack, where the forty-sixth of the line was quartered. If these two regiments joined him, all military difficulties were at once at an end. The Prince's proclamation would be instantly printed and posted up; the authorities would be arrested, and it would be impossible to put a stop to this popular movement. If, on the other hand, the forty-sixth would not join the Prince, those officers who were devoted to him would assemble the third regiment of artillery, and the Prince would then have been master of a force superior to any that could have been opposed to him.

Rooms were rented in a private house, at a short distance from the Austerlitz barracks. Thither Louis repaired on the evening of the twenty-ninth of October. A message was then sent to those officers upon whom he could rely. They came, successively, towards three o'clock, and Louis's rooms were soon crowded. He now recapitulated his plans, and the means he possessed of executing them, informed every one of what he would be called upon to do in the morning, and then read his proclamations aloud. Five o'clock struck—this was a solemn hour; Colonel Vaudrey was now to repair to the Austerlitz barrack. The Prince exclaimed, "my poor mother, I have deceived her! She believes that I am with my cousin. She must learn from myself what may be my fate." He then wrote two hasty letters, in one of which he informed his mother of the success of his enterprise; in the other he said, "I have fallen, mother, but in a noble cause. Do not weep; do not blame any one; nothing but my own convictions could have induced me to act as I have done; I have been influenced by no one; when I crossed the Rhine I was prepared for all." Louis was evidently moved as he gave the letters to some one who stood near him, saying, "If I am well received by the first regiment before which I present myself, we are certain of success; therefore let the first letter be instantly despatched to my mother. If I fall, send the other, it will be my farewell." The tears started to his eyes as he spoke, but as the sound of the trumpet was heard at that moment, he conquered his emotion, and recovered that composure which did not desert him during all the events we are about relating. "This is a solemn moment," said he, as he rose, "we are about commencing a great enterprise; if it

Digitized by Google

succeeds, the benedictions of our country will be our reward; if it fails, the world will not find words strong enough to depict the folly of our attempt; but we will bear that with resignation. We will remember the long sufferings of the Emperor at St. Helena. We shall fall in a great cause, and the French nation will pity us."

In the meantime, the soldiers of Colonel Vaudrey's regiment, aroused at an unusual hour by the sound of the trumpet, hastened down to the court-yard of their barracks, anxiously inquiring what had happened. They were ordered to stand in two rows on each side of the court, so that every man might see all that was to take place. The Prince, having been informed that the regiment was assembled, hastened to the scene of action. He wore the uniform of an officer of artillery, which consists in a blue coat with red cuffs and facings, a colonel's epaulettes, and the cross of the Legion of Honor. We mention this because it has been repeatedly asserted that the Prince was dressed in the celebrated *redingote grise*, and three-cornered hat. A movement of curiosity was visible when Prince Napoleon made his appearance. He advanced towards Colonel Vaudrey, who, putting his hand on his sword, exclaimed, "Soldiers, a great revolution is about commencing! The nephew of the Emperor, whom I here present to you, has come to place himself at your head, to aid you in re-conquering the rights of the people, and in restoring France to glory and to liberty. May the nephew of Napoleon depend upon you?" * * * * "Yes, colonel!" exclaimed the troops, and the court-yard rang with the cry of *vive l'empereur!* The Prince, evidently moved by the enthusiasm this regiment evinced for the memory of his uncle, threw himself into Colonel Vaudrey's arms, and made a sign that he wished to speak. All was silent. "Soldiers," said he, "having resolved to conquer or to die for the liberty of the French nation, I was anxious that yours should be the first regiment before which I should appear, for we are united by strong ties. It was in your regiment that my uncle, the Emperor, first served; it was with you that he distinguished himself at the seige of Toulon; it was your brave regiment that received him at Grenoble, on his return from the Island of Elba. Soldiers, new destinies are in store for you! To you the glory of commencing a great enterprise, to you the honor of being the first to salute the eagle of Austerlitz and of Wagram."

Here the Prince seized the eagle borne by one of his officers, and, holding it up to the regiment, exclaimed, "this is the symbol of glory; may it be also that of liberty! During fifteen years it led our fathers to victory; during fifteen years it glittered upon every battle field, it towered above every capital of continental Europe. Soldiers, rally around this noble banner; I confide it to your honor and to your courage. Let us march together against the traitors and the oppressors of our country, crying, *vive la France! vive la liberté!*"

Digitized by Google

In one of the Prince's letters to his mother, dated January, 1837, after having described all that took places at the Austerlitz barrack, he thus continues:

"We then set off, preceded by the band, joy and hope beaming in every countenance. Our intention was to hasten to General Voirol, and to persuade him to join us. It was necessary to pass through the whole town to reach his house. On the way I was obliged to send an officer with a platoon to the printer who was to publish my proclamations; another to arrest the Prefect; six others for various purposes. Thus, before I reached the General's house, I had voluntarily deprived myself of a large portion of my forces. But, was it necessary for me to be surrounded by *soldiers?* I depended upon the support of the inhabitants of Strasbourg, and notwithstanding all that has been said to prove the contrary, I can assure you that I received unequivocal proofs of their sympathy. When we arrived at General Voirol's, I went up stairs, accompanied by Colonel Vaudrey, and by three other officers. We found the General dressing. I said to him, "I should be most sorry to raise our old tri-colored flag once more without the aid of a brave officer like yourself. The garrison has declared itself in my favor. Follow me." He answered, "you are deceived. The army knows what are its duties, as I shall instantly prove to you." I tried again to induce him to join me, but finding him inflexible, I ordered a picket to guard him, and then left him. On my re-appearance, I was received with shouts of *vive Napoleon! vive l'Empereur!* but this first check had discouraged me; I was not prepared for it; we recommenced our march. We left the large street, and entered the Finkmatt barrack by the alley which leads to it from the *Faubourg de Pierre.* The Finkmatt is a large building, standing in a kind of blind alley; the space before it is too narrow for a regiment to draw up there in battle order. When I found myself thus confined between the rampart and the barrack, I saw that the plan we had agreed upon had not been followed. On our arrival, the soldiers gathered around us. I harangued them. The most of them instantly went to get their arms, and when they re-appeared, surrounded me, testifying their sympathy by their acclamations. But seeing a sudden hesitation among them, caused by the report spread by some officers who wished to make them doubt my identity, and feeling that we were losing time in an unfavorable position, instead of hastening to the other regiment, who expected us, I told the colonel to set off. He begged me to wait a little while; I consented. A few minutes later—all was over.

"Several officers now came up, had the gates closed, and severely reprimanded their soldeirs, who hesitated. I wished to arrest these officers, but their soldiers liberated them. Every thing became confused; the court-yard was so crowded that we lost sight of each other. The people, who had mounted on the wall, were already throwing at the infantry; the gunners wished to make use of their arms, but we prevented them from so doing; we saw at once how much blood would have been shed. I saw Colonel Vaudrey arrested by the infantry, and then delivered by his regiment. I, myself, was soon surrounded by men, who attacked me; I was parrying their blows with my sword, while trying to appease them, when the gunners came to my assistance and placed me among them. I sprang forward to seize a horse; the infantry followed; I found myself wedged between the horses and the wall. The soldiers advanced on all sides; seized me and conducted me to the guard-house. On entering, I immediately perceived Mr. Parquin, I held out my hand to him; he took it, saying in a firm tone, "we shall be shot, but we will die bravely." "Yes," I returned, "we have failed in a noble undertaking."

"General Voirol soon after entered. 'Prince,' said he, 'you found but one traitor in the French army.' 'You mean, General, that I found a Labédoyère.' Carriages were brought and we were taken to the new prison There I found myself between four walls, with grated windows and in the abode of criminals. Ah! those only who have felt what it is to sink from that excess of happiness which we derive from noble

Digitized by Google

illusions, to the depth of misery which knows no hope, can comprehend my feelings. General Voirol came to see me and was very kind. He said on entering: 'when I was your prisoner I could not but speak harshly to you; now, that you are mine, I am anxious to console you.' Colonel Vaudrey and I were taken to the citadel, where I at least, was much more comfortable than in the prison, but the civil power claimed him, and after the lapse of twenty-four hours, we were reinstated in our first abode. The jailor and the director of the prison did their duty, but at the same time, endeavored to soften my position as much as possible, while a Mr. Hebel, who was sent from Paris, wishing to show his authority, prevented me from opening the window when I wished to breathe the air, deprived me of my watch, which he did not restore to me until my departure, etc."

Let us now return to the moment of Prince Napoleon's arrest as it is described by Viscount Persigny. At the dreadful moment that all his hopes were overthrown, the Prince appeared calm and self-possessed. "Colonel Vaudrey," said he, as he extended his hand to that officer, "can you forgive me for having engaged you in so dangerous an enterprise?" The colonel only replied by seizing the Prince's hand and pressing it warmly. A few minutes later an officer, regarding the Prince with interest and emotion, lamented the horrible situation of Napoleon's nephew aloud. "At all events," said the Prince, "I shall not die in exile."

While this was passing, the third regiment of artillery got to horse; it had manifested the greatest delight at the news of what had taken place at the Austerlitz barrack, and was ready to move when it learned that the Prince, Colonel Vaudrey and others, had been arrested. This intelligence instantly destroyed the hopes it had formed on hearing of the Prince's arrival. The regiment broke up and returned to its quarters. It was the same with the pontoneers who required less time to equip themselves, and who were consequently within a short distance of the infantry, when the fatal news reached them. The officers, unwilling to commit themselves without an object, instantly disappeared, and the soldiers thus left without chiefs or guidance, returned to their barracks. This proceeded rather from want of presence of mind, than from want of courage. The people on the rampart continued to cry, *vive Napoleon!* Some workmen brought ropes, which they intended lowering into the court-yard of the barrack, hoping that the Prince would seize them and that they would thus be enabled to draw him up. But it was too late. The Prince and several officers had already been arrested. The people, who were unarmed, made desperate by their impotence, threw stones at the infantry, who could not succeed in dispersing them, until they had fired on them. The court of the barrack presented a lamentable spectacle at that moment. The fourth regiment of artillery had drawn close to the ramparts; the bayonets of the infantry were scarcely two feet from the breasts of the gunners, who had loaded their muskets and were prepared to fire. The two parties exchanged furious glances. "*Vive Napoleon!* Long live the Emperor's nephew!" was the cry which burst from the artillery. "It is not the Emperor's nephew! He is an imposter!" retorted the troops of the line. Lieutenant Colonel Taillandier could not command obedience. The artillery refused to retire without the Prince

and Colonel Vaudrey. The later was at last brought from his prison, and his voice was listened to. With a noble bearing, that instantly commanded respect and obedience, he said, "retire my friends; all is over. Your resistance is useless. Obey your colonel for the last time." The gates were then opened for the artillery to leave the barracks, when the Prince's aide-de-camp entreated them to attempt releasing the Prince—they hastened to their guns—but unfortunately according to the plan agreed upon, ammunition had been deemed unnecessary. It was only from the colonel that they could obtain any, and he was a prisoner. Thus, the failure of this enterprise cannot be attributed to any individual, but solely to fate. The Prefect of Strasbourg and General Voirol were arrested by the Prince's orders, and were not released until after he was a prisoner; consequently, up to that time they had issued no orders. Lieutenant Colonel Taillandier could not have commanded his regiment to oppose the Prince, for he was not at the barracks when the Prince was seized.

[TO BE CONCLUDED IN THE MARCH NUMBER.]

SONNET.

I love thee, Beauty! but most sure where thou,
Sublimed in sweet conception, art enshrined
In the fair temple of a loved one's brow,
The living image of her noble mind,
My soul bows down in worship: for I find
Eyes of sweet gentleness, and sweet lips, fraught
With music of strong love and holy thought,
Oft blent in tones more soft than summer wind.
Heaven bless thee, gentlest! thou wilt act thy part
With strong endurance; still undimmed thine eye
Will search for truth; sweet influence thou'lt impart,
Like star that hastes nor rests in yonder sky,
Around thee; and pure thoughts will fill thy heart,
Like incense in some fane of sanctity.

S. S.

Digitized by Google

THE

UNITED STATES MAGAZINE

AND

DEMOCRATIC REVIEW.

Vol. VII. FEBRUARY, 1840. No. XXVI.

ALAS, POOR HENRY CLAY!

THE Whigs are still, then, it seems, determined to make the effort yet a little while longer, to keep alive their exhausted and dissolving organization as a Party. Their recent general Convention at Harrisburg has put forth the name of a candidate, for the approaching Presidential election, for whom they invoke the concentration of the vote of all the various sections of the old Opposition, as it has heretofore existed to the late and present Administrations; and their Press is attempting, with better or worse grace, to rally again their disheartened forces, for another feebly desperate struggle.

Be it so. But after all, your convention-delegates and your newspaper editors—your 'leaders,' in their various degrees, your committee-men, chairmen, secretaries, orators, and so forth—are but the outward skeleton framework of a great party organization. They may assemble, and consult, and intrigue, and resolve, and declaim, to their hearts' content, till the mutual contagion of their common prepossessions and hopes may possibly generate a certain degree of self-delusive excitement among themselves, which may serve to justify them, on the score of veracity, in their absurd declarations of a confidence of success, and of the maintenance of the old organization of their party. But it is all in vain. The great laws which govern the destinies of large popular parties lie as far beyond the control, as they commonly do beyond the understanding, of these classes of politicians. The old "Whig Party" of the last ten years is rapidly going to pieces. Its career is run—the delusions, and the influences of external pressure, which have artificially maintained the cohesion of its heterogeneous mass, are very nearly exhausted—and

Digitized by Google

its plain *dissolution* must soon make itself unequivocally manifest to the eyes of all men. The nomination of a Presidential candidate may, as we have said, hold together for a brief space longer the hollow and crumbling shell of its organization as a Party—but that is all. And that, probably, is all that was contemplated by the more sagacious leaders whose management has controlled the proceedings of the Convention. To afford the best available rallying ground for the maintenance of their local party interests in a few of the States—and at the same time to preserve a sufficient degree of general organization and union, as a great party of Opposition, to enable them at a future day to occupy a commanding position in case of serious dissension in the Democratic Party—we believe to have been the extent of the views of the leading minds in that body; few of whom can have sincerely indulged in the slightest hope of preventing the re-election, by a great popular majority, of the present incumbent of the national Chief Magistracy. But these scheming intrigues of politicians are as impotent as they are unworthy. For the present, notwithstanding their declared adoption of a Presidential candidate, yet no effort that they can make can much longer retain the adhesion to their cause of the great bulk of their own former numbers, among the broad democratic mass of the people; nor much longer avert the consummation of their entire downfall and dissolution, as a great party, that at one period, from the operation of extraordinary causes, could probably have commanded, in a general election, a decided popular majority. And as for the future, though we are far from being insensible to the possible dangers of dissension which, when freed from the strong pressure of a powerful Opposition, may menace the integrity of our own party as at present organized, yet are we safe in our reliance upon the continued steady progress of democratic truth and democratic reform, and upon the unfailing sagacity of the popular intelligence, when fairly enlightened by discussion, to judge and act for the best in whatever combinations of circumstances may hereafter arise.

At the same time that we regard the nomination of General Harrison as the weakest that could have been made, we do frankly confess that we look upon it with no slight regret,—that we have in fact felt a disappointment, on the reception of its announcement, somewhat akin to that which we have seen so openly and indignantly manifested by the friends of Mr. Clay. Far as we stand removed from any political sympathies with the latter gentleman, we do acknowledge an unaffected regret and mortification at the unworthy treatment he has been made to experience from his party.

Henry Clay was incontestably the head of the Whig Party. Whatever that party was, whatever it had thought, felt, spoken, and acted, all found its perfect representation and embodiment in him. He was its master spirit. He had long been its favorite idol, as he was

Digitized by Google

its ablest champion. The prominence of his position, on the front of the political stage, for nearly a quarter of a century—his sanguine boldness and dashing recklessness of spirit—his graceful, vehement, and sonorous eloquence—his ready quickness in debate, and versatile adroitness as a party tactician—joined to a certain easy and good-natured freedom of manners, combined to attach to his person a degree of popularity which with a large portion of his party amounted to an enthusiasm. Through all the hot fury of the political struggles of the past ten years, the voice of Henry Clay had thundered, always the loudest and the most spirit-stirring, in the van of the array of his party; and on him had the hearts of its great majority been fixed, through long, impatient years, as the rightful claimant, and destined recipient, of that last crowning tribute of public honor, which is the highest and noblest in the power of a great nation to bestow upon its greatest man.

The truth of this remark is not invalidated by the fact that there was one other individual whose commanding intellectual power, in the forum and in the senate, made him the object of a local preference with his party in his own peculiar section of the country, even over Mr. Clay, as the more general representative of the Whig Party at large throughout the Union. Mr. Webster's pretensions could never approach a rivalry with those of Mr. Clay; his popularity, both personal and political, notwithstanding the general recognition of his eminent abilities, scarcely extending beyond the limits of his own State. This fact had become virtually recognised by universal consent during the period of the late apparent decisive ascendency of the Whig party—the name of Mr. Webster having gradually sunk almost entirely out of the public view as a candidate for the Presidency, while the star of Mr. Clay had mounted higher and higher toward the zenith, extinguishing every lesser light in the blaze of its culminating glory.

Such was Mr. Clay's position in his party previously to the developement of the great popular reaction, which the last year has exhibited, in favor of the policy and cause of the Administration whose speedy downfall had appeared, about two years ago, to superficial observers, so inevitable and irretrievable. The Convention which was to assemble at Harrisburg had been agreed upon at an earlier day, when the general settlement of the party suffrage in favor of Clay, as the true head and representative of whatever Whigism is, had not yet so decisively manifested itself; but it had become generally understood as a matter of course, that it was a piece of machinery which was simply to be worked out, for form's sake, to secure the willing support of a comparatively small portion of the party that stood committed and fixed in a different preference. Before the change of complexion which was cast over the whole question by the disasters of the elections of last summer and fall, the body was already stocked

Digitized by Google

with a known majority of delegates favorable to the nomination of Mr. Clay. And on its assemblage the only doubtful question that appeared to exist in relation to its probable action, was, as remarked in our last October Number, whether or not that gentleman himself would choose to receive the nomination, which appeared securely at his command, but which could only impose upon him the eventual mortification of a more overwhelming defeat than any of his former repeated experiences of the same nature.

As the issue has resulted, it is much to be regretted by the friends of Mr. Clay—and even by the more liberal and generous of his political foes—that he did not, of his own free option, resolve upon the course which would have spared him the far keener mortification of his present position, by declining a nomination in advance. But, after all, hopeless as was the contest, this would not have comported with the brave and proud spirit of the man. Before yielding finally to the necessity against which it was worse than idle to maintain any farther struggle—and before withdrawing to the pleasant shades of Ashland, to give to the soothing tranquillity of rural retirement the evening of that day whose toilsome noon has been so fretfully and fruitlessly spent in the very middle arena of political strife—the high end and aim of that magnificent ambition unattained, and now desperately unattainable—he wanted, as he had the right to claim, an "*honorable discharge.*" If he was to fall, he wanted it to be at the post his own by incontestable right—at the head of his host, with his crown upon his head—to be recognised and respected, even by his victors, as a king, though a vanquished one.

When two great parties have long divided a free commonwealth, the two proudest positions that a man can occupy, are at the head of the respective opposing masses of millions. The honor is indeed a grand one of standing at the head of the triumphant majority, as its representative, its chosen chief, the individual embodiment of its collective will. Well may it, as an object of ambition, fire the souls of a nation's greatest and best, with that noble passion which is a virtue or a vice, and to mankind a blessing or a curse, according but to its degree and direction. And truly indeed ought it, when attained, by the very eminence of its isolated elevation, to fill the breast of its possessor with the noblest and purest sentiments—of gratitude to the people whose confidence has reposed in him a trust so high and honorable—of proud ambition to prove to that people, to the world, and to posterity, that that sublime confidence of a nation has not been unworthily bestowed—of single-hearted patriotism, prompting ever, in counsel and in action, the most self-sacrificing devotion to those principles, in the preservation of the integrity and purity of which he may believe the true glory and greatness of his country's destinies to consist—and of a wise modesty, a magnanimous meekness, ever alive to the consciousness of the true nature of the personal honor attendant upon an

Digitized by Google

official elevation grounded on such a basis. This is the spirit which should shed its beauty over the daily walk of a PRESIDENT OF THE UNITED STATES, and animate his discharge of the nobly arduous duties of that office. And this is the spirit which the possession of that highest of public honors, made attainable to any single man by the political institutions of any human society, must tend to inspire in the breast of any one truly worthy of so high a destiny.

But on the other hand there is, in the rival position of the head of the great minority of Opposition, so far as the gratification of the pride of personal ambition is involved, a lesser majesty, it is true, yet still a higher dignity than any secondary rank, even on the side of triumph. This at least was Mr. Clay's, by an indefeasible title of natural nobility and just desert; and in this might he have found a consolation for the disappointment of the prouder hope which but a short time before had seemed so certainly and closely within his grasp. While yielding to the irresistible current of a mighty popular will, he might still have claimed the moral glory of a Cato, which his friends and his party would have set above all the triumphs of a Cæsar—and might have gracefully retired with the consolation of the fine lines of the poet—

> The gods and Cato did in this divide—
> They chose the conqu'ring, he the conquered side!

To have been the Presidential candidate of his party—to have been the one high object of its devotion, its gratitude, its pride, and its hope—to have fought the battle manfully as its acknowledged head, even though he might be forced to sink beneath the overpowering weight of numbers—this would have been the "*honorable discharge*" which Mr. Clay had proclaimed to be all that he now desired before retiring from the service of his country, a toil-worn political veteran, bowed down with years, and covered with brave scars. And this was due to him from his party; and we cannot dissemble an indignant contempt—not the less sincere that we have but few political sympathies in common—for the mean ingratitude which has thus so basely betrayed him in the last hours of his public life, to sacrifice him, his feelings, his rights, and his fame, to a cunning intrigue, and to a cold calculation of party expediency, which we verily believe to have been as shallow and impolitic, as it was heartless and false. In the words of Fouché, it was worse than a crime—it was a blunder; and is but another signal illustration of the truth of Mr. J. Q. Adams's well-known recorded opinion of the unprincipled ingratitude and meanness of the Whigs as a political party.

It is in vain to seek a palliation of this ungrateful abandonment of their long recognised head and chief, in the consideration by which it is attempted to be defended, that another candidate, notwithstanding that personal insignificance which is alike his single and singular recommendation, would afford a prospect of success hopeless under the

Digitized by Google

nomination of Mr. Clay. The number of persons within that body whose sanguine temperaments may possibly have mocked their imaginations with a hope of the election of their candidate, could not but have been very limited. And moreover the Presidential candidate of a party should always be its first man, the one most distinguished for great public services, or for long and able championship of its leading principles of policy—in a word the most complete representative of its political faith. If it have such a man, he, and he alone, is its true and proper candidate—and its strongest too. If peculiar circumstances may create the belief that his election is impossible, it is idle to substitute, in the place rightfully his, an inferior man who, it may be hoped, may not be exposed to the same prejudices or influences which are supposed as fatal to the prospects of the former. The strength of a popular party consists in its fidelity to its principles; and the moment it yields them to the pressure of an apparent expediency, and confesses, at the same time, its weakness and its insincerity, by sacrificing the man who is the one real and rightful representative of itself, to such shallow calculations of "availability" as have avowedly dictated the nomination of poor old General Harrison, that moment it inflicts a more fatal stab on its own vitals than any of the assaults of its opponents. It is in vain to invoke for such a candidate, thus selected, to the disappointment of the just expectations and wishes of the great body of the party, that zeal and unanimity indispensable to even a chance of success in such a contest—in vain to attempt to soothe the indignation and disgust with which the generous, the ardent, and the disinterested of the party cannot but look upon the perpetration of such an act of political perfidy and ingratitude.

In the present instance the force of these considerations is enhanced by the fact that Mr. Clay is perfectly well known to have desired, expected, and virtually asked, or rather claimed, the nomination. Stripped of all its accessaries of rhetoric and show, such was, under the circumstances, the substantial purport of his letter which was read in the Convention, and which has been so widely paraded in the papers. He addressed a body containing a known numerical majority of votes favorable to his nomination—at a period when some doubts might have been entertained of his willingness to run as a candidate, to encounter the certain fate of overwhelming defeat—and by placing himself, according to the regular formula, in the hands of his friends, at the same time that he made a fine display of showy magnanimity, with reference to the other individuals whose names were to be brought forward, he in point of fact, as above remarked, solicited the nomination—a solicitation which, in his position in his party, was substantially the assertion of the *claim* which he had the right to urge, which there existed no rival to challenge, and to which he had the strongest reason to look for a prompt and warm acquiescence.

Digitized by Google

He made the solicitation, the claim—and it met with a refusal, as mortifying to its object, as it was ungrateful and dishonorable on the part of its authors. For the political campaign about to commence, he was deposed from his old and rightful pride of place, and another name—and what a name!—inscribed on the banner under which it was to be conducted. He was rejected without his "*honorable discharge*"—turned off upon the common, not the less heartlessly that the act was accompanied with some commonplaces of regret, and of self-reproachful memory of the past services of the brave but worn out old war-horse!

An additional aggravation of the unworthiness of this ungrateful abandonment, is derived from the character of artful intrigue apparent in the movement, on the part of its authors and managers. The fact is not denied that there was a clear numerical majority of the delegates in the Convention, computed *per capita*, desirous of nominating Mr. Clay. An insidious proposition was, however, introduced by the thorough-paced party tacticians of the Pennsylvania Antimasonic school, who were bent on accomplishing the nomination of General Harrison—to the effect, that the preliminary votes should be taken by States; so that in each State in which the delegates were not unanimous the minority should be absorbed in the majority, the whole vote of the delegation from the State being reckoned for the candidate favored by its majority. This proposition having been unsuspectingly adopted by the Convention, its effect was not only to suppress a portion of the vote properly belonging to Clay, but to make it swell the apparent vote of Harrison; and in fact to create for the latter a fictitious majority, through which the more ready and ingenious tact of its managers in the arts of parliamentary manoeuvring enabled them to overrule the true majority of the body, in a manner as remarkable for its unscrupulous impudence as for its profligate political ingratitude. The usual formality of a unanimous nomination with which the whole affair was made to wind up, cannot, of course, impose on any child; and but ill serves its purpose of covering up and whitening over the hollow rottenness of the intrigue by which the arch-manoeuvrer who was the master spirit of the occasion, was permitted, by the weakness, blindness, and apathy of the real majority of the body, to compass his object. These proceedings afford a curious chapter in the history of the science of party tactics, and a strong illustration of the justice of that salutary distrust of the machinations of assembled conventions of politicians, which we are glad to witness abroad in the public mind.

Mr. Clay has borne himself very properly and gracefully under the keen mortification of this blow. The device of the Washington Supper was certainly a very happily contrived one to carry off the affair smoothly and decently, so as to place him at once in a position in which his own pride, his own self-respect, could not but force him to stand

Digitized by Google

forward in precisely the attitude to be desired by the very authors of this cruel stab. He could not have declined an appearance on that occasion—he could not have withheld a speech in acknowledgment of the gilded compliments to his name which were a matter of course under the circumstances—nor could he, with any show of dignity or decency, have spoken in any other tone than that, of course, adopted by him, of graceful, magnanimous, self-sacrificing acquiescence in the nomination made. Bitterly as the proud and high spirit of the man must have revolted, within his own heart, against the mortifying mockery of the scene—profound and harrowing as must have been the emotions all in arms within the secret chambers of his own breast—the crowding memories of the worse than wasted part, the pangs of so many glorious hopes now broken and blighted, the indignant scorn, of which he was yet forced to choke and dissemble the slightest expression—keenly, deeply, gallingly, as in the midst of that festal hour the bosom of its hero must have been racked with all these thoughts and feelings, yet was he in a position in which he was forced, by a moral compulsion most subtilly woven around him, to wreathe his countenance with smiles—smiles like those forced upon the reluctant lips by the poisoned honey of the ancient fable; to utter with simulated fervor all the rhetorical commonplaces appropriate to the occasion; and to reward the false friends who had so cruelly abandoned and betrayed him, by himself co-operating with the consummation of that very political treachery of which he was the splendid victim.

Viewed simply with a dispassionate eye—on scientific principles—as a manoeuvre of party tactics—we must confess that this Washington Supper was one of those fine strokes of genius, one of those beautiful combinations of art, which cannot but command our astonished and humble admiration. We have long entertained a peculiar and profound respect for the gentleman who is the reputed author of the whole of this beautiful intrigue—as the most daring, dashing, haughty, skilful, prompt, unscrupulous, and unprincipled political knave, within the circle of our knowledge—but really this was a refinement on himself—a lower deep—a *beyond beyond*. Thus to have first, at Harrisburg, out-manoeuvred a clear majority, so as to entrap them into a voluntary "unanimous" submission to a minority—and then, at Washington, to have outwitted Mr. Clay himself, so as, in the parlance of Chess, to compel him by a *coup forcé* to dissemble all the feelings of just indignation with which his proud heart must have been heaving, to commit himself, and eloquently to invoke all the hosts of his friends, to support a nomination which involved so disgraceful an ingratitude towards himself—truly we can find no language to express our wonder in the contemplation of a double stroke of genius so bold, so subtle, and so successful; and can bestow upon its peerless author no higher praise than the modest tribute of admiring silence!

Digitized by Google

But after all, the true character of the whole transaction shows too transparently through all the outward forms, of public speeches, resolutions, acts, to deceive any but the blindest of partisans. The Convention may declare its unanimity—the Kentucky delegates may parade the magnanimous acquiescence of themselves and the gallant "favorite son" of their State—Mr. Clay may be made to proclaim his own cheerful submission, and to invoke for the nomination of the Convention the support of all who love him—the politicians may get up their meetings, and surfeit the disgusted ear of the public with the empty grandiloquence of old sets of resolutions—and the editors may labor as earnestly as they please to convince themselves and their readers that they do, and ought, and must, acquiesce cordially in the exclusion of their true and rightful candidate by a poor, feeble old gentleman whose very friends can pretend no claim in his behalf, save those of the merest negative character—all this may be done, and yet the substantial truth remains after all at the bottom, that a very large proportion of the Whig Party will not, and cannot, be drawn into a participation in a miserable manoeuvre of mistaken expediency, alike unworthy and unwise. General Harrison's vote will most assuredly fall far short of that which Mr. Clay would have commanded. In every direction, notwithstanding the assiduous efforts of your editors, &c. to disguise the truth, the indications of this are apparent. A profound disgust is entertained by, we believe, the great body of the sincere and honest Whigs, at this treatment of Mr. Clay, the only complete and true representative of Whigism, whatever it is or has been. A large proportion of this class will *not* cast their votes for Harrison—the candidate of mere naked, unprincipled opposition, which is nothing more nor less than mere unprincipled faction. For when appealed to by their party presses to do this violence to their feelings, the question must immediately arise in the minds of men of this stamp, what great motives of patriotic duty exist to claim from them the sacrifice—what chance of success, to justify the reluctant effort? And when the reflection succeeds, that it is only because time and discussion have dissipated the hold upon the public mind once possessed by that Whigism of which Mr. Clay was the embodiment—have successively dispelled into thin air all its material charges—have so far sustained the antagonist attitude assumed long ago by the Administration against the excesses of the "credit system," and against the fatal fraud of a credit currency, that few venture now to attempt to revive the exploded Whig arguments of a former day—and have even wrought so miraculous a conversion in a large proportion of the Whig party as we witness in every direction, in relation to that once so terrific, but now very tolerable monster, the Independent Treasury—when the reflection succeeds, we repeat, that it is only because such has been the effect of time and fair discussion, upon the public mind and the relations of parties, that Mr. Clay's chance has become desperate, so as to induce the politicians to try the forlorn

Digitized by Google

hope of the nomination they have made,—and when they consider the present enfeebled and exhausted condition of the banking system, as a political engine, which has proved itself, when in the full swing of its pride and power, impotent to overthrow the present Democratic Administration, even at a period when the latter was surprised in a condition of great disadvantage—what imaginable inducement can remain to encourage them to a renewal of their worse than fruitless efforts! The time has been, indeed, when so strong a passion of antipathy against Mr. Van Buren's administration had been generated by the long protracted violence of the party contest, together with the active pecuniary interests involved in it, that the Whigs, as an organized party, would have supported any body or anything—whether Satan or a man of straw—against him; when simple Opposition, founded on mere loose declamation, and accompanied by no avowals of distinctive principles or measures, was sufficient to afford a ground of union, of active organization, to a very formidable, though deluded, numerical mass. This time has been—but such is now no longer the case. The developements of the last year or two have detached thousands in all sections of the country from the ranks of Opposition, to transfer them to their more natural position in support of the sound, honest, debt-paying and debt-shunning, policy of the Administration. This general tendency to relaxation on the part of the old Opposition—a tendency rapidly progressing to the point of dissolution—cannot but receive a strong impulse from this deep and widely spread sentiment of disappointment and disgust awakened, throughout the better portion of that party itself, by these proceedings of the Harrisburg Convention.

And now a word in explanation of the motive that has induced us to make these proceedings the subject of the present remarks. Our Whig readers have, doubtless, from the outset of them, imputed them to a desire to fan the flame of discord within their ranks—to promote the verification of our own prophecy by stimulating the friends of Mr. Clay to the course which we have indicated as that which must naturally and necessarily result from the merits of the case, as we have cursorily sketched them. To this we have to reply, that nothing can be farther from the truth. Our motive—the end toward which we have designed the above course of remarks to tend—is a very different one. We have no desire to hasten that dissolution of the Whig party which we see already in progress before our eyes, more rapidly than, as mere partisans, we could regard as favorable to the interests of our own political organization. We do not want—by the volunteer tribute of our admiration of some points of his political character, and by the expression of a disgust at the wrongs he has had to sustain from an ungrateful party, which from an uncompromising political opponent may be regarded as altogether gratuitous—we do not want, we repeat, to woo Mr. Clay from the ranks of which he has long been the chief, to resume his original position in the old Republican party which he must now so bitterly regret that he was ever seduced

Digitized by Google

to abandon. We do not want him back—neither him nor his. He could not be received back, were it even in his power to attempt to leap the impassable gulf which yawns between his position and ours. Still less is it our purpose to exult over a prostrate foe. On the contrary, we hold him entitled, by all the courtesies of honorable warfare, to a more deferential respect, now in the midst of the mortifications of his misfortunes, than it was for us to volunteer in the past hours of his pride and pomp and power. Our object, we repeat, is a widely different one from either of these. It is, to draw the more fully out, in all the strong relief afforded by his present position, *the moral of Mr. Clay's political life*, of which he has now reached the closing scene.

We do not propose to review it. It is sufficient for us to point to its two extremes, its outset and its close. We behold him, in the former, with all the generous fervor of youth, one of the most zealous champions, as one of the most favored sons of the Republican party. Ardent, eloquent, bold, and powerful in debate, he early rose to a position, from which patience and steadfastness in good desert were alone requisite to crown his ambition with the highest rewards of the popular confidence and attachment. But he knew not that most difficult of arts, to *bide his time*. His ambition was too impatient a passion; and soon led his restless steps, in his anxiety to outstrip his competitors in the race of popularity, amidst the crooked paths, to ensnare them in the fatal pitfalls, of intrigue. Abandoning the purer and severer doctrines of constitutional construction of the Republican school, he sought, by a boundless latitudinarian enlargement of the rightful action of the Federal Government, to make himself the centre of vast and powerful pecuniary interests which should bear him upward to the speedy consummation of his soaring hopes. But fatally has he illustrated in his person the just end and retribution of that unchastened ambition which has corrupted and destroyed so many a young patriot, upon whose early career has dawned the brightest morning of his country's hope and pride.

And what is the attitude in which we soon find him, on the occasion of the first great temptation being presented to him, of immediate, tangible, and splendid reward to a demoralized ambition? The *Coalition*—the unforgotten *Coalition*, by which he misrepresented his State, to place in the Executive Chair a minority President—the previous object of his strong hostility—whose first act was to bestow upon him the office of Secretary of State, an office of the most eminent present official rank and influence, and then regarded, by long usage, as equivalent, in "the line of safe precedents," to the Heirship Apparent to the crown itself—the unforgotten, unforgiven *Coalition*—it is as idle now, as it was then, for Mr. Clay to affect a show of indignant scorn of this fatal and self-demonstrating charge. It is in vain for him to bid the "damned spot, out!" Accompanied as that memorable transaction was with every evidence of dis-

Digitized by Google

honest compact—the sudden conversion of former hostility into intimate alliance—the violation of the express instructions of the State he represented, as of the general sense of the whole section of the Union to which he belonged—the long protracted suspense in which he held the scale between the two competing candidates for the office which circumstances placed it in his power to bestow—the positive evidence that existed of overtures, looking to the Secretaryship of State as the reward of his support, being addressed by friends of his to one of the candidates, General Jackson, whose manly uprightness refused to listen to them—and finally the consummation of the intrigue by the bestowal and reception of its rich reward—on the first presentation of these broad apparent facts of that transaction, by the plain and simple process of putting *that and that* together, the prompt sagacity of the popular instinct fixed itself at once on an irrefragable conviction of corruption—of dishonest and dishonorable bargain and sale of political influence—which it is equally in vain for Mr. Clay now to attempt to elude by bold denial, or by an angry and absurd retort of similar charges against a political rival—more fortunate because more honest—on a state of circumstances in all its aspects the reverse of that which characterized his own case.

We pass over the subsequent stages of his declining career—his desperate struggles for popularity in every direction, east, west, north, and south—his anxious identification of himself with every new movement of the public sentiment, as soon as its direction became apparently decided and important, accompanied ever with this unfortunate fatality, that he always took them up just a little too late, to carry them just a little too far—we pass over all this, to contemplate the position which he has now at last reached, as the meet reward of this long career of unscrupulous ambition, prostituting the loftiest powers of talent and eloquence, and demoralizing (in a political sense) a character designed by nature for one of the noblest; and which even in its ruins, like that fallen angel whose form "had not yet lost all its original brightness," is still half an object of our sympathy and admiration. We behold him now—his way of life fallen into the sere and yellow leaf—his once gigantic powers enfeebled, sadly enfeebled, by years, misapplication, and excess—miserably destitute of moral force and weight of character, in comparison with what might and ought to have been his—the great end and aim of his political life now more hopelessly remote than at any former hour from its outset—abandoned by his own friends, half in despair and half in ingratitude, for a mere man of straw—repulsed in his application for an honor most justly and rightfully his due from the party for which he has sacrificed so much—disappointed and dishonored, with the stings of his own mortifications sharpened by their contrast with the brightening triumphs of his old political rivals—a ruined and bankrupt politician, with little else left him than the memories of prostituted

Digitized by Google

powers, betrayed principles, forfeited fame, and wasted life—a broken-down man, with the debility of age settling alike on mind and body, and its gathering snows upon his head while his bosom still burns with the volcanic passions of youth—passions that burst forth from time to time, in explosions of rankling bitterness which can awaken no other sentiment in the breast of the illustrious object against whom they are most angrily directed, than the compassion of calm and dignified strength toward the petulance of disappointed impotence! Such, such is the picture—

——heu, quantum mutatus ab illo
Hectore, qui redit exuvias indutus Achillis!

—of the HENRY CLAY of to-day—which we have to draw with reluctant hand and half-averted eye, and from which we now turn with unaffected sadness, as from the contemplation of some noble old ruin, picturesque in its very desolation and uselessness. We have thus dwelt upon it for the purpose of exhibiting the warning moral of the fate of a man, of the most glorious original powers and prospects, whom an inordinate ambition was able to tempt astray in the pursuit of the false lights of dishonest expediency, and whom it has thus at last conducted, from such an outset, through such a career, to such a close. To illustrate this moral, which should sink deeply into the minds of all who contemplate it, we believe to have been the intended mission of Mr. Clay's political life. Fully is it now performed—

Requiescat in pace!

SONNET.

BY PARK BENJAMIN.

"They had no poet, and they died!"

Where are the conquerors? where the mighty? where
  The men of old, who wore the laurel crown?
  Where is their fame, their glory, their renown?
All vanished—all, like mist in morning air!
And could not Time, the ruin-maker, spare
  Greatness and strength, dominion, power, and pride,
Which they alone could gain and no one share;
  Though millions to acquire them, bled and died?
No! these have crumbled with the arches raised
  To blazon their high triumphs—these have flown
Into oblivion, like the scrolls that praised
  Virtues, achievements doomed to be unknown
But for a lustre; THEY survive alone
Whose names to every age th' immortal bard hath shown!

Digitized by Google

THE OLD MAN'S COUNSEL.

BY WILLIAM CULLEN BRYANT.

Among our hills and valleys, I have known
Wise and grave men, who, while their diligent hands
Tended or gathered in the fruits of earth,
Were reverent learners in the solemn school
Of Nature. Not in vain to them were sent
Seed-time and harvest, or the vernal shower
That darkened the brown tilth, or snow that beat
On the white winter hills. Each brought, in turn,
Some truth; some lesson on the life of man,
Or recognition of the Eternal Mind
Who veils his glory with the elements.

One such I knew long since, a white-haired man,
Pithy of speech, and merry when he would;
A genial optimist who daily drew
From what he saw his quaint moralities.
Kindly he held communion, though so old,
With me a dreaming boy, and taught me much
That books tell not, and I shall ne'er forget.

The sun of May was bright in middle heaven,
And steeped the sprouting forests, the green hills
And emerald wheat-fields, in his yellow light.
Upon the apple tree, where rosy buds
Stood clustered, ready to burst forth in bloom,
The robin warbled forth his full clear note
For hours, and wearied not. Within the woods
Whose young and half-transparent leaves scarce cast
A shade, gay circles of anemones
Danced on their stalks; the shad-bush, white with flowers,
Brightened the glens; the new leaved butternut
And quivering poplar to the roving breeze
Gave a balsamic fragrance. In the fields
I saw the pulses of the gentle wind
On the young grass. My heart was touched with joy
At so much beauty, flushing every hour
Into a fuller beauty; but my friend,
The thoughtful ancient, standing at my side,
Gazed on it mildly sad. I asked him why.

"Well may'st thou join in gladness," he replied,
"With the glad earth, her springing plants and flowers,

Digitized by Google

And this soft wind, the herald of the green
Luxuriant summer. Thou art young like them,
And well may'st thou rejoice. But while the flight
Of seasons fills and knits thy spreading frame,
It withers mine, and thins my hair, and dims
These eyes, whose fading light shall soon be quenched
In utter darkness. Hearest thou that bird?"

I listened, and from midst the depth of woods
Heard the low signal of the grouse, that wears
A sable ruff around his mottled neck;
Partridge they call him by our northern streams,
And pheasant by the Delaware. He beat
'Gainst his barred sides his speckled wings, and made
A sound like distant thunder; slow the strokes
At first, then fast and faster, till at length
They passed into a murmur and were still.

"There hast thou," said my friend, "a fitting type
Of human life. 'Tis an old truth, I know,
But images like these will freshen truth.
Slow pass our days in childhood, every day
Seems like a century; rapidly they glide
In manhood, and in life's decline they fly;
Till days and seasons flit before the mind
As flit the snow-flakes in a winter storm,
Seen rather than distinguished. Ah! I seem
As if I sat within a helpless bark,
By swiftly running waters hurried on
To shoot some mighty cliff. Along the banks
Grove after grove, rock after frowning rock,
Bare sands and pleasant homesteads; flowery nooks,
And isles and whirlpools in the stream, appear
Each after each, but the devoted skiff
Darts by so swiftly that their images
Dwell not upon the mind, or only dwell
In dim confusion; faster yet I sweep
By other banks and the great gulf is near.

"Wisely, my son, while yet thy days are long,
And this fair change of seasons passes slow,
Gather and treasure up the good they yield—
All that they teach of virtue, of pure thoughts
And kind affections, reverence for thy God
And for thy brethren; so when thou shalt come
Into these barren years that fleet away
Before their fruits are ripe, thou may'st not bring
A mind unfurnished and a withered heart."

Digitized by Google

Long since that white-haired ancient slept—but still,
When the red flower-buds crowd the orchard bough,
And the ruffed grouse is drumming far within
The woods, his venerable form again
Is at my side, his voice is in my ear.

THE ITALIAN OPERA.*

BY AN ITALIAN.

"Il faut des spectacles dans les grandes villes, il faut des romans dans les provinces." Such are the most harmless as well as the most successful sources of excitement to which civilized nations have had recourse hitherto—novels in the country, plays in the cities. The progress of social order and quiet, a perfect security at home and abroad, has brought about a total extinction of chivalrous spirits, and despoiled real life of all the charms of romance and adventures. The tailors of Paris have stripped all nations of their picturesque costumes; *gens-d'armes* and cruisers have deprived travelling of all the poetry of pirates and banditti; and constables and watchmen, the only knights-errant of our days, have taken upon themselves the redressing of wrongs and the protection of orphans and widows. In such a tame state of things, the poet or novelist, who knows how to exhibit before us characters and incidents bearing some marks of originality, and departing from the dull monotony of human affairs, is a true benefactor of our race; and we can easily understand why the bards of ancient nations were called to share the laurels of the hero and the honors of triumph.

But there is a certain large class of very good people constantly warning us against the dangers of illusion, and preaching a crusade against the most innocent works of fiction; for whom the tamest girl, indulging, in the secrecy of her closet, in the perusal of a volume of Earnest Maltravers or Henrietta Temple, is a fantastic, extravagant damsel, watching the first opportunity to set out, on a white palfrey, in quest of adventures; for whom, as we have heard of a worthy zealot in one of our northern cities, that day will be a day of triumph and grace, when they shall raise a *steeple* on the top of the last *play-house*.

Whether the theatre, in itself, and of necessity, must be regarded

---

* Raccolta dei melodrammi di Felice Romani. Genoa, 1832.

Digitized by Google

as a source of corruption—whether it may be susceptible of an efficient reform, or whether it should be the duty of all good citizens to labor to its final suppression—or whether people can always be listening to sermons, or reading Dr. Alcott's "*Young Housekeeper*," or "*The Whole Duty of Man*,"—it is not for us to decide; but as the subject of this Article will naturally lead us to speak of the most favorite pastimes of the old countries, where the taste for the pleasures of fiction is too inveterate a habit to admit of any cure; where people are irremediably given to the practice of going to the theatre; we must begin by claiming the indulgence of the more austere part of our readers, upon their dramatic and melo-dramatic prejudices, by reminding them what splendid effects that theatrical taste has produced upon the progress of music and poetry. Italy, of all countries, must plead the most desperately guilty of this profane indulgence in every kind of histrionic entertainments; and there, of course, men's ideas are so far perverted that you may hear, not unfrequently, the playhouse numbered among the most useful as well as delightful sources of social improvement. In Italy, where all the people do not know how to read—where a lyceum has never been, and, for some indefinite number of generations, probably never will be thought of—the theatre is considered as an important means of *education*. It is one of the peculiar notions of that people, that there can be a teaching by by sensations as well as by principles. Ruins and monuments are their instructers in history; paintings and statues are the guides of their taste; the stage is intended as their school of morals. The censorship, in a political view, a mischievous instrument in the hands of despotism, becomes a salutary restraint when it supervises the impudence of stage-players. French and English farces generally need modification and restriction to fit them for the nicer ears of an Italian audience, however this fact may appear in contradiction with the idea generally prevailing of the extreme demoralization of that country.

The advantages of a theatre can nowhere be so well appreciated as in a country deprived of its political existence. The theatre is in Italy the last refuge for independence and freedom. The people feel strong in their numbers. The uproar of the *parterre* of San Carlo not unfrequently makes the *gens-d'armes* turn pale, and the police officers shrink in their box. The theatre is among the last bonds, the Italians have been left, of national union. Hence their fondness for stage exhibitions is beyond all comprehension. No less than 40,000 people attend day and night the fifteen theatres in Naples. These are the temples of the muses, opened as an asylum against dejection and misery. Italian theatres are not more expensive than American newspapers. The meanest unfortunate seldom hesitates between his dinner and a ticket for the opera. The upper galleries oftentimes display a wonderful intelligence. Long habit and a natural sense have given their taste the nicest discrimination. The idleness in which south-

Digitized by Google

erners so fondly indulge, gives the mind a contemplative energy which would in vain be expected from the living machines enclosed for sixteen hours a-day in the factories of Lyons and Manchester, notwithstanding their miscellaneous love of lyceum lectures and penny magazines. There are philodramatic and philharmonic associations flourishing in every town, and there the national taste is promoted and fostered.

Truly, the Italians may be said to have been too anxious to maintain their primacy in music, and the opera has absorbed too great a part of their attention, to enable them, in our days, to stand a fair comparison with their neighbors in their productions of dramatic poetry. But, by way of compensation, their opera is making the tour of the globe. You will find it occasionally at Smyrna, in Asia; at Tunis, in Africa; at Havana, and Rio Janeiro, in America. It has made its appearance now and then in some of the Atlantic cities of this Union. It was hailed and greeted with enthusiasm; it was caressed and cherished; like animal magnetism, phrenology, and every other new importation from Europe, it had its nine days. But then the frowns of sober people were against it, while the American popular mind was otherwise engaged; and the outlandish trumperies and juggleries of the Italian opera, with all its apparatus of fiddles, of masks, and machines, were discountenanced, and scattered and frightened out of the land. A straggling company may indeed, driven by despair on our coasts, set up their tent in New York for a season, and give us a hasty and formless performance, such as is to be expected from heterogeneous elements brought into combination by the chance of a moment; but a standing opera—with all its imposing accessaries of choruses and orchestra—with all the *prestiges* of scenes and decorations—in this country is, and will for a long time be, out of the question.

The most general objection we have heard against this popular amusement is its foreign origin. People who dare not wear a coat an inch higher or lower than the last number of the French *Journal des Modes* prescribes, will exclaim against the indignity of patronizing the *anti-national* establishment of an Italian opera. The zeal of patriotism conspires with the severity of morals, and the obnoxious sorceress is forced to yield. Against such a stern proscription, we would only remark, that the progress of new countries towards social improvement is generally marked by the following stages. Their first object is to provide for the most urgent necessities of life. Next they will strive to add enjoyment to life by the acquisition of ease and comfort. Soon they feel the want of refining it by the contemplation and enjoyment of the beautiful. And lastly, their taste for the beautiful, blunted by abuse and excess, leads the way to luxury and vice. The Americans, the descendants of colonists who brought with them the advantages of a far advanced civilization, have hurried through the two first, and have reached the third stage of this human progression. It is but

Digitized by Google

too natural that they should be afraid of falling into the last, and heaven for ever preserve them from it! Still, as few would advise us to banish the luxuries of letters, arts, and music, on account of the corruption that may hereafter possibly attend their abuse, it is certain, that on that ground at least America must consider herself as being still tributary to the mother countries; and that it will be long ere such of her children as aim at high improvement in painting or sculpture, may unlearn the road to Florence and Rome. It is thus that in a country where the piano-forte is considered a more essential article of furniture than anywhere else, where every young lady considers herself entitled to have something to do with music, a permanent opera would have the most desirable influence in directing and elevating the national taste for the irresistible fascinations of melody. It is to a similar establishment that the French—according to Rousseau, the most anti-musical people on the earth, not excepting even the English—have succeeded by culture in repairing the defect of nature; and Italian music is thus becoming more and more a universal language of the heart, vanquishing every obstacle of difference of climate, of language, and of national habits and feelings.

Still the Italians carry their love for the opera to an excess that could not be explained but by a closer investigation of the manners of the people. They do not love the theatre merely for itself. There are a thousand associations intimately connected with it; there are other interests at stake than that excited by the love of the drama, or even by the success of a favorite composer; there are other plays acted all round the hall, than that exhibited on the stage. The Italians live at the theatre. The boxes are owned by different families, whose members not unfrequently attend every evening; every lady of fashion makes a drawing room of her box, and there is a perpetual moving, and bowing, and smiling, from box to box. The vastness of the houses, the power of their orchestras, and the great talent of the Italians for talking in whispers, enable them to carry on the most animated conversations without sensible disturbance. In the cities of northern Italy, every box is provided with a small room, where they indulge in genial suppers, in cards, in bursts of laughter. The *pantomime* or *ballet*—in some measure a modern contrivance, that threatens to invade the whole musical kingdom; anciently, only a short farce, now prolonged far beyond two hours of duration, and associated with the most appalling atrocities of tragedy; a harrowing spectacle, but fascinating with all the most efficacious resources of the fine arts—addressing itself exclusively to the eye, wonderfully favors the restlessness and loquacity of an Italian audience, by claiming the least possible degree of their attention. The opera, as it exists at the present day, can thus advance no pretension to the character of a purely intellectual representation. It acts by sensations; it makes its way to the heart through its most direct inlets, the eye and ear; and as it does

Digitized by Google

not chain the mind too intensely, it seldom can prove dull or fatiguing. Whether the introduction of this exotic production ought to be encouraged or not on an American soil, we shall not now attempt to examine, but, in as far as it falls within the domains of literature, we shall try to give a general view of the origin and progress of the Italian opera, and of the state it has reached in our day.

Dramatic poetry was the last branch of literature cultivated in Italy; nor did the Italian theatres, like their chivalrous poetry, arise from the people. The Lombard and Tuscan republics of the middle ages, down to the age of Lorenzo dei Medici, showed no taste for popular spectacles. A free and virtuous nation was not in those ages in want of public entertainments. The full enjoyment of their rights, the stirring debates of the public square, the pursuits of their warlike and commercial undertakings, absorbed all the faculties of those freemen; and the only representations in which they indulged were those mysteries and miracles, in which their religious and superstitious feelings were more played upon than their dramatic or literary taste. The theatres—vast and magnificent buildings, many of which are still extant for the wonder of ages—were opened by the Medici, the Este, the Gonzaga, and other princes, who attempted by such means to gild the chains they were gradually imposing upon a stubborn and generous people. The opening of a new theatre was made, as it is even now, an extraordinary occasion for public rejoicing. Princes and lords flocked from the neighboring provinces; tournaments, dances, and music preceded and followed the performance; and the Italians, dazzled by such showy apparatus, insensibly acquired that habit of indolence and dissipation that was to undermine their national character. Those public games and spectacles were for them like the mess of pottage which tempted the son of the patriarch of old, for which he gave up his birthright, and condemned himself and his descendants to subjection and vassalage.

The first performances exhibited on these stages were not certainly at first of such a nature as to interest an ignorant multitude. The plays were at first merely Latin comedies or tragedies, recited now in their original, now in dull translations by the academicians and scholars that crowded the courts; but the people either did not care much for the drama, or, as it happens even in times nearer to us, they enjoyed it the best as they understood it the least. From its earliest origin the Italian theatre was thus abandoned to the hands of men of letters, and overwhelmed by that weight of pedantry which then invaded in every branch the republic of letters. A superstitious spirit of classical imitation made them blindly adopt, not only rules, methods, and measures, but even opinions and feelings from the Greeks. They sought inspiration from the dead, and the chill of death seized them. Anxious to follow the laws of dramatic unity, they deprived the drama of all action, and filled it up with eternal narrations, sermons, and sentences, drawn out to a most distressing length. It is thus that some of those

Digitized by Google

poets, made aware of the wearisomeness of those languid productions, bethought themselves of reviving their slumbering audiences by the exhibition of awful crimes and revolting atrocities. Their heroes appeared to be possessed by a murderous rage truly terrific. Slaughters were unsparingly repeated in every act, until the tragedy ended by the natural conclusion that none remained to be killed. In illustration of which we have a parody intended to ridicule the bad taste of the tragedies of that age, in which enters the prompter from his box, with his manuscript in his right hand and a candle in his left, bidding the audience good night, and announcing that the play is over:

> "Ladies and gentlemen, I see you stay
> To hear some tidings of the bloody fray;
> You'd better give it up and go to bed—
> Who do you think will come?—They are *all* dead."*

Nor did comedy fare better than tragedy. The same veneration for Plautus and Terence led the Italian poets to paint on the stage nothing but Athenian and Roman manners. The same tame coldness reigned unbroken throughout their five long acts, and was attended by the same tiresomeness; and as the tragedians, for the sake of stage effect, had had recourse to exhibitions of revolting atrocities, so the writers of comedies, for the sake of amusement, made a free display of more revolting obscenities.—Thus arose, and thus fell, the Italian theatre in the sixteenth century; and the people who could not find any interest in those cold imitations, substituted for tragedy the musical opera; and for comedy, the masks, the tricks, and the coarse jests of the Harlequins.

Thus it was, that after having been the earliest to take the first steps in the drama, Italy suffered herself to be anticipated by her neighbors, who were already boasting of their Calderon, Shakspeare, and Moliere, while, with the exception of the comedies of Machiavello and Ariosto, and the pastorals of Tasso and Guarino, all the immense store of Italian theatrical productions was given to oblivion, until the efforts of their great triumvirate Metastasio, Goldoni, and Alfieri, restored the Italian stage to a level with their rival nations.

In the degradation of tragical poetry, the Italians sought a substitute in another source of excitement, an easier and gentler mover of the affections, a more harmless and unsuspected charmer, more secure from the frowns of tyranny, and more in accordance with their manners and feelings, Music. As soon as this enchantress was introduced upon the stage, at first, merely as an auxiliary, she invaded all the realms of poetry, as well as of sense and taste; and gave origin

---

* "Uditori, io m' avveggo che ascoltate
Che della guerra alcun nuova vi porti.
Ma l'aspettate invan: son tutti morti."

Digitized by Google

to that complication of absurdities, which was to extend its success beyond the Abyss and the ocean, *the Opera.* In this, with a mixture of lyrical and pastoral, of magical and phantasmagorical scenes, with the hope of blending all the sister arts to the production of heretofore unknown results, the Italians sanctioned the usurpation of the fair intruder, and music reigned supreme.

It would not be difficult to find objections against the opera, or rather to repeat the arguments that sober minds have ever brought against it. That enervation, that decomposition of all noble feelings into air and sound; those painted heroes ever sighing, ever melting, ever warbling, ever dying; that total absence of order and unity, that constant breach of the probabilities of common sense, ill disguised under the show of tinselled scenes and gilded drapery, has caused many a wise head to shake in pity and contempt, at the blindness of a nation surrendering to the senses such an empire over the reason, and laying asleep all just thought and sentiment under the enchantment of melody. The opera has been considered as an element of corruption, both of taste and manners, a dangerous seducer; at the least, as an idle, irrational, sensual enjoyment.

Of course it would be difficult for an Italian to subscribe to such a sentence. The musical opera, he would tell you, is not merely a vain pastime for the vulgar—it is the highest source of delight in which a noble mind can indulge. It has by far the advantage over the drama. The emotion that this last can produce, is always the result of close attention, of total abstraction, of absolute passivity. You must divest yourself of your feelings to receive those of another. The drama is a tyrant that must absorb all your faculties; its success depends on a complete illusion. A slight reaction of reflection, a preoccupation, an instant of listlessness, of ennui, an ill-timed jest, a fortuitous interruption—and the spell is broken and the interest slackens. Not so the opera. Music is no intruder. It asks for no admittance into the sanctuary of the mind; it hovers round its threshold, like the minstrel at the entrance of the nuptial apartment. It does not suspend the course of your feelings; it arouses them into a gentle agitation; it fans them, it soothes, it enhances the noblest of them; it gives them a harmonious, a delicate turn; it gives them a something elastic, ethereal, spiritual. Its effect is immediate. It does not urge, it does not importune you; it awaits you at the proper moment; it has some note to find its way to your heart; it has some strain that harmonizes with your thought, and that comes unlooked for, unsuspected, when you are turned away from the spectacle in disgust and ennui, when your ears are listening to the whisper of a fair one by your side, when your thoughts are wandering among the regrets of the past or the schemes of the future.

Such are the ideas the Italians entertain of music, which they call the architect of the celestial spheres, and the echo of the language of

Digitized by Google

paradise. They, who cannot conceive of a human heart dead to all impressions of harmony; who have carried their fanaticism for this charming art even to idolatry; have by the invention of the opera extended its power far beyond the efforts of all ancient and modern nations.

In Greece and in Rome, as well as in Italy, Music had always been accessory to theatrical performances. The choruses of tragedies and pastorals were always written in lyrical verses, to be sung and accompanied by instruments. The dulness of their dramatic pieces, and the national predilection for music, gradually gave the choruses and the other musical parts a greater extent, especially in the pastorals, until at the end of the sixteenth century, *Ottavio Rinuccini* gave, on the stage of Florence, what may be considered the first specimen of an Italian opera. Having no great confidence in his dramatic powers, but endowed with an exquisite taste for metrical cadences, he wrote the whole of his drama in lyrical measures; and associating himself with three celebrated musicians, he set the whole of his dramas to music. The first of his productions, *la Dafne*, a pastoral-mythological drama, was represented at Florence in the year 1594, and was welcomed as a most agreeable novelty.

This example was soon followed by other cities emulous of Florence, and the opera was soon the favorite of the court and the multitude. The *Euridice* and *Arianna* by the same poet had a still greater success. The first, a piece exhibiting many marks of poetical skill and genius, having been performed for the first time, in 1600, on the occasion of the nuptials of Mary dei Medici and Henry IV., the Italian opera soon made its way to France and England, where it has ever since been more or less successfully cultivated. Such as it was, the discovery was but in its infancy, and it underwent various vicissitudes during the whole of the seventeenth century. That century was an age of effort, of depravation and extravagance. That bad taste that occupied every branch of literature in the age of Marini, did not spare the opera. As in the new arrangement poetry had insensibly given way to music, so even music yielded the sceptre to the portentous exhibitions of machinery. Flying chariots and horses, rattling thunders and storms, enchanted palaces, fireworks, deluges, conflagrations, every metamorphose, every prodigy that mechanic ingenuity could derive, made of the opera a complicate phantasmagory, or jugglery—a fairies' festival—a witches' Sabbath—where not unfrequently the stage was divided into three different stories, and exhibited at once what was going on on earth, in heaven, and in hell.

The first and most famous of such grotesque productions was the Aurora and Cephalus, by a poet of high renown, Gabriello Chiabrera, who successively introduced as interlocutors the Ocean, the Sun, the Night, the Tritons, and the twelve signs of the Zodiac. After his example, falling from extravagance to extravagance, the four elements

Digitized by Google

were personified; the palaces of the Sun, of Neptune, of Plutus, appeared in all their pomp; and finally in the *Cato in Utica*, in a great spectacle given by the well-affected provinces to Cæsar, enters the Terrestrial Globe, majestically advancing on the stage to pay its homage to the conqueror.

Such were the spectacles exhibited at the court of the Farnese and Gonzaga, of the Dukes of Tuscany and Savoy, in those vast edifices whose ruins cannot be visited without astonishment; where the people, freely admitted, crowded the immense galleries, ten and fifteen thousands at a time; where by the contrivance of water-works the stage could be converted into a mimic sea, and exhibit the spectacle of a mock naval fight with the most complete illusion; where, in the *interacts*, the immense parterre could be changed into an arena for wild beasts and bull fights; and where the people was delighted by a succession of various games, for a longer lapse of time than our generation could possibly endure. Such has remained, notwithstanding the efforts of Quinaut and others, in the golden age of French literature, to a great extent even in our days, the French opera, where not less pains is still taken to dazzle the eye than to charm the ear. But the Italians, endowed, by the special gift of Heaven, with more refined taste than their neighbors, soon recovered from the follies of which they had set the first example; and, due allowance being made for the popular taste in the pantomime, where wonders and transformations continue to be exhibited down to our days, they soon restored music to her undisputed sway over the opera.

Apostolo Zeno, born and reared at Venice, where, on the decline of liberty and patriotism, the theatre in all its branches, and especially the opera, had been most eagerly cultivated—a man of taste, as well as of thorough education—well versed in the Greek and the Roman theatre, and a warm admirer of the productions of Corneille and Racine, which were then making their way into Italy—placed in charge of the direction of the theatres at Venice, and afterward at Vienna under the title of *Poeta Cesareo*, Poet Laureate—considerably contributed, during the first part of the 18th century, to the reform of the opera. But instead of bringing it back to the pastoral and mythological fables from which it had sprung, he took his subjects principally from the Greek and French tragedies; and writing a considerable number of *Iphigenias* and *Andromaches* in lyrical verses, he gave origin to what may be called tragic or heroic opera, the one that was perfected under the auspices of Metastasio. But, together with the subjects and plans which he took from the master-pieces of Greece and France, so far as his lyrical style of composition could admit of it, Zeno undiscerningly adopted the most striking peculiarities that are accounted as the capital defects of the primeval French drama—that complicated variety of intrigue; that fondness for what the French call *coups de scène*, strokes of stage effect; and above all that

Digitized by Google

mockery of modern manners and feelings attributed to ancient names, and characters, and that merciless length of cold and empty sermons, in sententious monologues and dialogues that chill the hearer to death. By such productions, however, Zeno had given the opera form and proportions. It was the clay that had received human shape and features under the hands of Prometheus. The man was yet to come who was to complete his work by rising to the sphere of the sun, to steal from its glowing orb the spark of animation and life. That man was Metastasio.

Metastasio has been for half a century ranked by the side of the greatest geniuses that have honored the Italian name. Indeed he had been placed so high that his downfall could not best be considered as inevitable. His character, which was in perfect consistency with the age in which he lived, could not remain unimpeached in our days, when the noblest feelings of the heart are expected to be essentially connected with the highest attributes of the intellect. Dante, Tasso, Machiavelli, Michael Angelo, Galileo, all the most conspicuous characters in Italian literature, issuing from noble families, united to their loftiness of genius that nobility of heart which can alone support genius against the difficulties that crowd on its path.

Metastasio was possessed of a mind of the very first order. His benevolent disposition, and the gentleness of his temper, endeared him to his intimate friends. He was pure, candid, incorruptible. Born and bred up in squalor and misery, fortune hastened to repair the defects of his nativity. From his earliest youth to the end of his long career he never saw one of her frowns. He knew no struggle, no trial. The energies of his character never were put in requisition, and it relaxed into a weak though harmless effeminacy. The age he lived in was corrupted, but quiet. It was too degraded even for great crime. Vice had been stripped of all its horrors, and clothed in the decencies of fashion and gallantry. Metastasio, the greatest mind of his age, was not above his age. He aspired not to the glory of its censor or reformer; he made himself its organ. He was disinterested and liberal—he declined titles and dignities, when his name was above all distinctions; he renounced a splendid inheritance, when his talents had placed him above his wants. But he had no dignity of character. Heaven knows, flattery is an ancient art; but Metastasio carried it so far, and practised it with so much ingenuity, that he invested it with an air of originality. Monarchs and princes, high and humble, friends and foes, all had their share in the offerings of his incense. Adulation had become in him a second nature. He had a lively fancy, with an exquisite sensibility; but indulged in it only so far as it would be a source of enjoyment. He was a happy man; he was perhaps the happiest of mortals; the only question in his case is, up to what degree it is permitted to man to be happy. Love, friendship, and patriotism, he felt every affection warmly so long as they brought him

Digitized by Google

sweet emotions—when they bespoke sorrows or dangers, he could shut his heart against them at his pleasure. He says of himself that the anguish of his imaginary heroes often called tears in his eyes—the evils of real life never came to disturb his repose.

His early life has much the appearance of one of the pleasant dreams of which we read in romance. Gian Vincenzo Gravina—a distinguished lawyer and a renowned scholar, a man of high rank and considerable fortune, and willing to use both for the promotion of talent—walking one evening, in 1712, through the streets of Rome, was attracted by a large group of persons crowding the entrance of a barber's shop. The appearance of his dress and countenance having gained him easy admittance, he found himself in presence of one of those popular minstrels, who under the name of *improvvisatori* afford the lower classes in Italy one of their most intellectual pastimes. It was a boy of fourteen, of middle size, of slender but elegant form, with auburn hair flowing down his shoulders, with blue eyes and a fair complexion—one of those soft, languid, effeminate faces which constituted the type of beauty in that unmanly age. It was a fascinating sight for the old jurisconsult. Those delicate features kindled by the enthusiasm of inspiration—that melodious voice obeying the impulse of every successive emotion—the flushing and fading, the ebbing and flowing, of that youthful complexion, revealed to his physiognomistic judgment the existence of genius. As soon as the exhibition was over, and ere his admiration had subsided, he approached the barber, in whom, by his smile of complacency, he recognized the father of the young bard, and with brief bargaining induced him, overloaded as he was with other children, to give him up his first-born as an adopted son. Such, according to the most probable tradition, was the origin of Metastasio. The education which Pietro Tropassi had received, meagre and poor, such as the efforts of his humble parent could afford, was now recommenced under better auspices by his patron. Gravina set all his cares and affections on the child of his choice; procured him the best masters; changed his vulgar name to the more sonorous Grecian surname of *Metastasio;* and when his last day arrived he bequeathed to the young poet, then twenty years of age, his books, his fortune, and his blessing. Unused to riches, Metastasio in less than two years had squandered in youthful follies the heritage of his benefactor. Urged by want, and with a mind strengthened by a more mature age and a thorough education, he went to Naples, and resumed that poetical career in which he had in his youth evinced such powerful talents. His first operas were crowned with an astonishing success. One of the princesses of the opera, a renowned beauty, and a fascinous singer, *La Romanina,* with a kindness of heart that is frequently found among the woman of her profession, enraptured with the beauty, not less than with the genius of her poet, offered to share her fortune with Metastasio, who had then nothing to share; and receiving him

Digitized by Google

into her family, and by her earnest and disinterested affection warming and stirring his apathy into noble exertion, succeeded in making a poet out of an epicure. Thus was his fame spread over Italy, and Apostolo Zeno, who, now in his old age, saw his own renown, as a melodramatic writer, eclipsed by the earliest success of the Roman bard, in the act of renouncing the office of Poet Laureate at the Court of Vienna, had the disinterestedness of recommending his bold rival; who was thus appointed by Charles VI. of Austria, as Court Poet, in 1730.

The rest of the life of Metastasio, which lasted until his eighty-fourth year, offers but little variety. Loaded with honors and presents by the Cesars who successively occupied the Austrian throne, Francis I, Maria Theresa, and Joseph II., and by the numerous archdukes and archduchesses of that ever-fertile family; complimented and visited by several other monarchs of Europe, Metastasio basked in a perpetual sunshine. The storm that gathered round the throne of Maria Theresa, in the war for the succession of Austria, in 1740—the death of his earliest friend and associate, the good Romanina—did not for a moment ruffle the smoothness of that happy soul. He transferred his homage from the setting sun to the rising, his love from the dead to the living. He lived in a friendly intimacy with Marianna Pignatelli, a Neapolitan princess, married to an Austrian baron, whom he visited twice a day, whether in fair weather or foul. The wild and fiery Gabrielli, the queen of the opera, an elf, a sylph, a syren, who used to spurn the love and to scorn the anger of monarchs—the beautiful Gabrielli, when seized by fits of melancholy mood, would steal from the adoration of multitudes, and run to Vienna, alone and incognita, to have an hour's *tête-a-tête* with Metastasio. He assumed the title of Abbé, *abate*, an undefinable denomination, denoting an amphibious being, half man, half priest, and conferring upon its bearer the advantage of enjoying all the charms of life without undergoing its charges. Metastasio found the privilege of such a rank so convenient that he refused to change it for the more sonorous titles of Knight, Baron, and Palatine Count, with which his masters had him successively presented. He possessed in the highest degree that love of order and method, that taste for settled life, that regularity of habits, that seems to shorten our days and lengthen our years. Pleasure and business never interfered with each other. His muse waited upon him at his bidding like a domestic attendant. He disarmed envy and rivalry, by silence and modesty. He never left a letter unanswered nor a smile unrequited. He shook every hand that was presented to him; returned all friendship that was offered him—only it is not known that he ever gave himself any trouble for any of his friends. In conversation he was lively and gay, assiduous, carressing, flattering. He always smiled to show his white teeth to advantage. To his last day he wore on his blooming cheeks and unruffled brow

Digitized by Google

the marks of undisturbed serenity. He was extremely careful of avoiding painful sensations. He hated to have human miseries and disasters spoken of in his presence. A happy being, himself he endeavored to keep out of sight every aspect of the sufferings of others, as if hoping to deny the existence of unhappiness. He discountenanced likewise all conversations on religious and political subjects. Toward his end he become also extremely sensitive upon the topic of death. The slightest allusion to decay and dissolution made him fretful and feverish. Not a single hour of his existence had tended to make him dissatisfied with life--no wonder if he recoiled from giving it up. In his eighty-fourth year his vigor of mind and body had not in the least abated. He was a striking illustration of the saying, that *Poets never grow old.* His fame had now reached the remotest corners of the earth. No poet, nor excepting even Petrarch, ever went to his death with a greater certainty of the immortality of his name—the good poet would have had no objection to outlive his own name. In 1782, having exposed himself to a current of cold air, in witnessing the entrance of Pius VI. in Vienna at the epoch of the famous mission of that pontiff to Joseph II., the poet caught a cold, accompanied with a fever of a malignant nature, which drew his fate to an abrupt close. Fortunate even in death, he received the last regards of the Pope; who, innocent cause of his fate, in order to console him as he best could, sent him his benediction *in articulo mortis*, which was then honor and comfort enough for a good Christian, and catholic poet; and sustained by which he took his flight to paradise, one of the few mortals who had left a paradise behind.

If we have dwelt so long on the life and character of Metastasio it was because, though the invention of the opera did not belong to him, still that kind of poetry was hardly any thing before him, and nothing ever since. He was the opera. The rival and successor of Zeno, he did not dare or wish or need to introduce any material innovation in the forms of the melodrama. The opera is no drama. It knows nothing of the dramatic laws, either romantic or classic; it has its own rules, narrow, severe, inviolable. The number of personages limited; so is almost the number of scenes and verses. The *tenore*, the *prima donna*, and *basso*, have each a determined number of airs. The airs must follow each other in regular succession according to stage etiquette. The duets, tercets, and choruses, must be equally distributed. The poet obeys the *maestro*, the *maestro* obeys the company, the company generally recognize the sway of the *prima donna*. Metastasio, and every other poet who wishes to write for the opera, found these established rules, and wisely resigned himself to them.—These rules of course undergo frequent vicissitudes, but the poet has not the initiative of such changes; he is a passive instrument of the caprice of fashion.

To such a style of composition, where dramatic art has no share,

Digitized by Google

—where the merit of invention is limited to uniting in the smallest possible space the greatest number of incidents, of striking situations and sudden vicissitudes, no matter how much at the expense of probability—where the different characters have hardly any time for full developement—where the warmest scenes must be lengthened or shortened according to the train of musical cadences—where the passions are made subservient to rhythm and melody—the only chance for success remaining to the poet is a rich, flowing, luxurious language, a tenderness of feelings, a vividness of images, a continuation of pure, native, innocent graces; all qualities which Metastasio possessed in the highest degree. All emotions in his dramas are intended to leave a mild impression; all affections take a soft, voluptuous tone. The interest is constantly kept alive by a well conducted action. The effect is sure, constant, immediate. The passions, the noblest as well as the warmest, are analysed with a nicety, a refinement, a metaphysical subtlety, that amuses and surprises, though it is more ingenious than true. There is an enthusiasm, a devotion, a holiness, that exerts on our souls an irresistible attraction. It is an ideal beauty of sentiments of love and virtue—of virtue in all its thousand domestic and social relations, of love in all its lights and shades. It is a voluptuousness, an effeminacy, a languor, a sweetness, a morbidness, an intoxication, an oblivion, that possesses itself of you, overwhelms and bewilders you; an opiate that wraps you in a vision of rosy dreams, where you doubt at times, whether you are waking or dreaming, but where still you find no power, no desire, to break the enchantment; and then a brightness of lyrical thoughts, of short but not infrequently deep moral reflections; a purity of language, easy, simple, varied in the *recitative*—melodious, rapid, pathetic in the airs; and smooth and soft and sweet every where. The poetry of Metastasio is not, however, it must be confessed, of this world; nor do the heroes of his dramas belong to the human race. He did not paint human manners or feelings, but dramas; he did not speak human language, but music. In order fully to appreciate the genius of Metastasio, it is necessary to look upon some other planet, to build there a new world for the realization of his golden visions. His poetry is not of this world. Wherever the scene be placed, in Greece or Rome, or India, or Asia, in ancient times or in the middle ages, manners, morals, feelings are always the same. Semiramis, Zenobia, Dido are not queens of Assyria, Carthage, or Palmyra; they are queens of the stage, they are prima-donnas. As the same jewelled mantle and crown can serve them all in turn on successive evenings, so do the same language and sentiments. It is the beau-ideal of the poet; something that he created; it is the poet himself—his soft, benevolent, ingenuous, epicurean nature reproduced under different shapes, sexes, and dresses; a mixture of pastoral, chivalrous, heroic, romantic ideas, equally fitting all ages and countries. So it is of the plan of all these dramas.

Digitized by Google

Whoever has seen one, has seen them all. You find always a couple of lovers, concealed or open, always crossed in their affections; in as much as *Manlius* is in love with *Attilia*, Attilia is captivated by *Licinius*; Publius in raving for Barce, who in her turn thinks only of Hamilcar—a complication of interests which, however carried on with a wonderful skill and ease, is always very nearly bordering on the verge of absurdity. And then such sudden revolutions in the hearts of those heroes, such fits of repentance, of generosity, of self-sacrifice in the most obdurate villains! such long trials of endurance of equanimity, of self-denial in those oriental despots! such candor, such fidelity, such devotedness in those Greecian lovers and friends! in short it reminds us of a puppet performance, where we wonder how people can knock each other so tremendously on the head and never get hurt.

But some more serious and more severe complaints are brought against Metastasio. It is said that he painted the world, neither as it exists, nor as it ought to exist; that he played upon, and trifled with, not ennobled nor exalted the affections; that those perfect models of ideal beauty were not only not true to nature, but not even consistent with good morals; that he had a pernicious influence over the energies of the soul, by a continual seduction of fascinating illusions; that that enervate pathos only served as an easy and convenient cloak to the unblushing gallantry which was carried on in his days. Nor has even his style been spared. It has been found undignified, affected and false: its softness degenerating into a tiresome monotony, its refinement not unfrequently leading him in puerilities; that he is a sweet poet indeed, but that sweet is the taste from which nausea is soonest produced; that it is always sweetness, everlasting sweetness, nothing but sweetness. Thus the reign of Metastasio has drawn to a close, and the present generation may be said to have witnessed its downfall—giving to the votaries of fame a striking example. A whole generation arose, asserting with daring assurance that a whole generation was mistaken. The children have pretended to a greater wisdom than their parents. They have broken the idol before which the noblest minds bowed in adoration. So far can genius rely on the homage of its age for the pledge of the reverence of ages to come.

The expansion of our topic, and the necessary limits of these pages, compel us to defer to a second paper, which will be given in the succeeding Number, some further remarks on the drama of Metastasio, and the completion of the history of the Opera, with a view of its present form and character, and of the kindred performances to which it is now generally allied.

Digitized by Google

POLITICAL PORTRAITS.

NO. XVII.

THEODORE SEDGWICK.

In a recent number of the present series of "Political Portraits," that of that noble and devoted champion of freedom and truth, William Leggett, the sad duty was imposed on us of presenting, as an obituary tribute to his memory, the biographical sketch which, in advance of his unexpected death, had been designed, at the same time for the gratification of the public interest, so warmly attached to his name, and as a just tribute of respect to the virtues and services of the living man. A similar mournful task, accompanied with a similar change of a previously formed intention, is now again imposed upon us in the case of the distinguished and lamented citizen whose name heads the present page. We regret that from the fact of no other portrait of him being left, than that deeply impressed on the hearts of his friends, it is not in our power, in like manner, to accompany the present written sketch of his life and character with an engraved likeness of a countenance that well harmonized with the spirit of which it was the transparent expression.

Although he but rarely suffered himself to be withdrawn from the tranquil happiness of his private life, to that participation in public affairs from which alone is to be derived such conspicuous popular eminence as has heretofore been the leading rule in the selection of the subjects of the present series, yet Mr. Sedgwick's name—through the united influence of his writings and of his social reputation—has been so extensively known, as that of an enlightened, zealous, and influential Democrat, a valuable citizen, and a singularly pure and warm-hearted man, that, apart from any bias of private friendship, we regard the present imperfect notice as not less due to his memory, than, we cannot doubt, it will be acceptable to our readers, and to the Democratic Party at large, of which he was so honorable an ornament.

Mr. Sedgwick was born in December, 1780, in the town of Sheffield, Massachusetts. At the date, therefore, (Nov. 7, 1839,) of the recent sudden blow which has inflicted on his family, friends, and country, a loss so severe, he was in his fifty-ninth year. At the age of seven, his father—whose name is well known to the American public, as one of the ablest, wisest, and best sons of a period prolific of great men—removed with his family to the village of Stockbridge, on the river Housatonic, distant but a few miles from Sheffield. Here, in one of the most beautiful spots of the beautiful county of Berkshire—

Digitized by Google

a spot now already made, by the consequences of that event, an American classic ground—the father of Mr. Sedgwick planted the family home of which we trust that the roof-tree will never cease to flourish there; and in the midst of the healthful physical influences of a fine mountain air, scenery, and country life, and the still more beneficial moral atmosphere shed over it by his own rare wisdom, benevolence, and purity of character, reared to maturity a family of seven children—three daughters and four sons, of whom the subject of this notice was the eldest.

Of Judge Sedgwick the present is not a suitable occasion to speak at much length. The association is, however, so close—and so signal and valuable an example is afforded in his case, of the multiplied benefit which such a parent can confer on society, by his care in moulding the mental and moral education of such a family—that we cannot omit a passing notice of his life, and of a character, of whose leading traits that of the subject of the present memoir was but the hereditary repetition.

The following succinct outline of the prominent events of his life is transferred to our pages from the Encyclopædia Americana:

"Theodore Sedgwick, a judge of the Supreme Court of Massachusetts, was born at Hartford, Connecticut, in May, 1746. His father, a respectable merchant, died when he was about ten years of age, leaving little property; but the generosity of his eldest brother enabled him to study at Yale College. He then turned his attention to divinity, which, however, he abandoned for law; and, before he was twenty years old, in April, 1766, he was admitted to the bar. He practised in Berkshire county, Massachusetts. He embarked in the revolutionary struggle with his constitutional arder. In 1776, he served as an aid to General Thomas, in the expedition to Canada, and subsequently made great exertions in procuring supplies for the army. At the same time, his humanity, in affording protection to the tories, put his popularity in no small hazard. He represented Sheffield in the Massachusetts General Court several times, before and after the revolution. In 1785 and 1786, he was a member of congress, under the old confederation. In the winter of 1787, he contributed much to the suppression of the insurrectionary spirit then pervading the state, frequently exposing himself to outrage, insult, and even death. His exertions in putting down, what was called Shay's rebellion, are honorably mentioned in the history of the times. In 1788, he was a representative of Stockbridge, in the state convention that adopted the federal constitution, of which he was one of the principal advocates. In the same year, he was a member of the House of Representatives of the state, and was chosen its speaker. In March, 1789, he took his seat in the lower house of Congress, and was successively reelected to it until March, 1796, when he was chosen to the Senate, where he remained until March, 1799, having, during a considerable portion of one session, acted as president *pro tem.* In the latter year, he was again elected a member of the House of Representatives, and chosen speaker. In 1802, he was appointed Judge of the Supreme Court of Massachusetts, and retained that office until his death, January 24, 1813. As a statesman and jurist, Mr. Sedgwick enjoyed a high reputation. His philanthropic efforts in the course of the emancipation of the negroes, deserve especial record. He was one of the counsel who, soon after the adoption of the constitution of Massachusetts, procured a decision, by which such a construction was given to that instrument as to abolish slavery in the state."

As an interesting illustration of two of the passages in the life of

Digitized by Google

Judge Sedgwick, referred to in the above sketch, we are tempted to quote, from a pamphlet in our possession, the following account of the slave who was made the medium of that application of the declaration in the Massachusetts Bill of Rights, that "all men are born free and equal," which produced the result spoken of in the concluding words above quoted:

"Elizabeth Freeman (known afterwards by the name of Mum Bett,) was born a slave, and lived in that condition thirty or forty years. She first lived in Claverac, Columbia county, in the state of New-York, in the family of a Mr. Hogeboom. She was purchased at an early age by Col. Ashley, of Sheffield, in the county of Berkshire, in the now commonwealth of Massachusetts. In both these States, and I believe everywhere in the Northern States, slavery existed in a very mitigated form. This is not so much to be ascribed to the superior humanity of the people, as to the circumstances of the case. The slaves were comparatively few. Society, except perhaps in the capitals, was in a state nearly primitive. The slaves were precluded from the table in but few families. Their masters and mistresses wrought with the slaves. A great degree of familiarity necessarily resulted from this mode of life. Slavery in New York and New England was so masked, that but a slight difference could be perceived in the condition of slaves and hired servants. The character of the slaves was moulded accordingly. Sales were very rare. The same feeling which induces a father to retain a child in his family, or at least under his control, disinclined him from parting with his slave. There was little distinction of rank in the country. The younger slaves not only ate and drank, but played with the children. They thus became familiar companions with each other. The black women were cooks and nurses, and as such assisted by their mistresses. There was no great difference between the fare or clothing of blacks and white laborers.

"In this state of familiar intercourse, instances of cruelty were uncommon, and the minds of the slaves were not so much subdued but that they caused a degree of indignation not much less than if committed upon a freeman.

"Under this condition of society, while Mum Bett resided in the family of Col. Ashley, she received a severe wound in a generous attempt to shield her sister. Her mistress in a fit of passion resorted to a degree and mode of violence very uncommon in this country; she struck at the weak and timid girl with a heated kitchen shovel: Mum Bett interposed her arm, and received the blow; and she bore the honorable scar it left to the day of her death. The spirit of Mum Bett had not been broken down by ill usage—she resented the insult and outrage as a white person would have done. She left the house, and neither commands nor entreaties could induce her to return. Her master, Col. Ashley, resorted to the law to regain possession of his slave. This was shortly after the adoption of the constitution of Massachusetts. The case was tried at Great Barrington. Mum Bett was declared free: it being, I believe, the first instance (or among the first instances) of the practical application of the declaration in the Massachusetts Bill of Rights, that 'all men are born free and equal.'

"The late Judge Sedgwick had the principal agency in her deliverance. She attached herself to his family as a servant. In that station she remained for many years, and was never entirely disconnected from his family.

"She was married when young: her husband died soon after, in the continential service in the revolutionary war, leaving her with one child. During the residue of her life she remained a widow. She died in December, 1829, at a very advanced age. She supposed herself to be nearly a hundred years old."

How well the individual slave to whose person were made to attach such important consequences, deserved, and was capable of rightly

Digitized by Google

using, the boon of liberty thus conferred on her, will appear from the following additional extract from the same source:

"She knew her station, and perfectly observed its decorum; yet she had nothing of the submissive or subdued character, which succumbs to superior force, and is the usual result of the state of slavery. On the contrary, without ever claiming superiority, she uniformly, I believe in every case, obtained an ascendancy over all those with whom she was associated in service. Her spirit of fidelity to her employers was such as has never been surpassed. This was exemplified in her whole life. I can convey an idea of it only by the relation of a single incident.

"The house of Mr. Sedgwick, in this town, (Stockbridge) was attacked by a body of insurgents, during the Shay's war, so well remembered in this vicinity. Mr. Sedgwick was then absent at Boston, and Mum Bett was the only guardian of the house. She assured the party that Mr. Sedgwick was absent, but suffered them to search the house to find him, which they did, by feeling under the beds and in other places of concealment, with the points of their bayonets. She did not attempt to resist, by direct force, the rifling of property, which was one of the objects of the insurgents. She, however, assumed a degree of authority,—told the plunderers that they 'dare not strike a woman,'—and attended them in their exploring the house, to prevent wanton destruction. She escorted them into the cellar with a large kitchen shovel in her hand, which she intimated that she would use as a weapon in case of necessity. One of the party broke off the neck of a bottle of porter. She told him that if he or his companions desired to drink porter, she would fetch a cork-screw, and draw the cork, and they might drink like gentlemen; but that, if the neck of another bottle should be broken, she would lay the man, that broke it, flat with her shovel. Upon tasting the liquor, the party decided that 'if gentlemen loved such cursed bitter stuff, they might keep it.'

"Understanding from the conversation of the party, that they intended to take with them, in their retreat, a very fine gray mare that was in the stable, which she had been in the habit of riding, she left the house and went directly to the stable. Before the rioters were apprised of her intention, she led the animal to a gate that opened upon the street; stripped off the halter, and, by a blow with it, incited the mare to a degree of speed that soon put her out of danger from the pursuit of the marauders.

"Even in her humble station, she had, when occasion required it, an air of command which conferred a degree of dignity, and gave her an ascendancy over those of her rank, which is very unusual in persons of any rank or color. Her determined and resolute character, which enabled her to limit the ravages of a Shay's mob, was manifested in her deportment and conduct during her whole life. She claimed no distinction; but it was yielded to her from her superior experience, energy, skill, and sagacity. In the latter part of her life she was much employed as a nurse. Here she had no competitor. I believe she never lost a child, when she had the care of its mother, at its birth. When a child, wailing in the arms of its mother, heard her steps on the stairway, or approaching the door, it ceased to cry.

"This woman, by her extreme industry and economy, supported a large family of grandchildren and great-grandchildren. She could neither read nor write; yet her conversation was instructive, and her society was much sought. She received many visits at her own house, and very frequently received and accepted invitations to pass considerable intervals of time in the families of her friends. Her death, notwithstanding her great age, was deeply lamented."

The humble familiar designation of "Mum Bett" has now, therefore, become an historical name, not unworthy of the space here bestowed upon it. The monument erected over her grave by the grateful attachment of the Sedgwick family to her memory, is not the least

Digitized by Google

of the objects of interest to the steps of the stranger who visits the village of Stockbridge.

Of the judicial character of Judge Sedgwick the following contemporary remarks will serve to convey a sufficient idea to the unprofessional reader to whom it may otherwise be unknown. They are taken from an old Massachusetts paper:

"Some time ago we heard that Judge Sedgwick intended to resign his seat upon the bench of our Supreme Court. In consequence of this report, the gentlemen of Berkshire, Hampshire, Worcester, and Middlesex Bars, have written letters to the Honorable Judge, expressive of the high sense they entertain of his worth as a Magistrate, and the loss which the bench must sustain on his resignation of his seat. We cannot but hope, that Judge Sedgwick will continue to the public the benefit of his official services. These services have already been conspicuous, and have secured to their author not only the esteem and veneration, but also the love of his countrymen. His learning, his integrity, his impartiality, render him an object eminently attractive. Mr. Williams in his Term Reports has given us from Judge Sedgwick specimens of judicial eloquence which would do honor to a Buller or a Mansfield. In the arrangement of his thoughts he is logically precise; in their expression he is lucid and elegant, in their embellishment he is chaste even to severity; in their delivery he is dignified and majestic. The manners of Judge Sedgwick are such as must have been in the mind of Chesterfield when he wrote his celebrated letters on politeness. There is in them a certain inexpressible something, which declares him one of those favorites of nature, on whom she has bestowed the rarest and by no means the least valuable gift which she has the power to dispense. We have endeavoured to draw an outline of the character of this excellent Judge and worthy man. We leave it to the skill of the exquisite artist to complete a picture, which, if a faithful resemblance of the original, cannot fail to engage the attention and produce the delight of posterity."

Eminent as he was for his public services and honors, it was, however, within the less conspicuous sphere of domestic privacy that the character and life of Judge Sedgwick most strongly claim our admiration. The active external employments in which it has been seen that he was engaged, did not prevent the devotion of a large portion of his time to the happiness of his home and the education of his family—in the manifold senses properly embraced in the word "education." He knew no greater enjoyment than that of the most constant and intimate conversational intercourse with his children, for the united ends of entertainment and instruction. Of the natural influence, upon all the latter, of such a perpetual and pervading contact with a mental and moral nature of so superior an order, in the person of a parent, it will not perhaps be trenching too far on the proprieties of private life for us to add the remark, that by its fruits in the present instance may it best be known.

In his political character Judge Sedgwick was, *of course*, (considering his time, his State, and the social atmosphere in which his lot was cast,) a strong Federalist of the old school. At the same time, in personal character, illustrated by his daily life, he was animated by no other spirit than a truly democratic one,—manifesting itself in the republican simplicity of his habits and manners; in the active phi-

Digitized by Google

lanthropy which was his predominant sentiment; and in that noble deference and respect for the rights of others, without regard to accidental social classifications, in which is implied a practical recognition too often unknown to the professing democrat, of the essential principle and spirit of equality and liberty. The strong and radical character of the democracy, to the illustration of which the pages of this work have from its outset been devoted, will scarcely be considered by any as liable to suspicion. We are, however, proud to confess a high respect for that stout old Federalism of the Hamiltonian era of which Judge Sedgwick afforded one of the finest specimens. It was an honest faith—a patriotic, true-hearted, and high-minded one—and very natural to the political and social circumstances of the times. And so far are we from participating in the senseless bias of prejudice against any present member of the Democratic Party for an honest attachment, at a long bygone day, to that antique "Federalism" which can refer for its justification to the name of *Washington*, that, on the contrary, such a change of opinions being in the direction of, and not in opposition to, the progress of the times, the developement of principles, and the evidences of experience, we look upon that circumstance, provided it be untainted with any apparent motive of interest or ambition, rather as a presumptive evidence of true integrity, manliness and patriotism; and of such a sound basis of reflection, and enlightened conviction, as affords the safest ground for political confidence at the present day.

Judge Sedgwick having died in the month of January of 1813, the the staunchness of his Federal faith was never subjected to that modification which we have very little doubt, from the general tone of his character, the subsequent progress of the great American experiment would have worked in his opinions; as it in point of fact has done in those of several of the members of his family, whose earlier political sentiments were of course but the reflection of those of their father, and of the social influences by which they were from infancy surrounded. This was in an especial degree the case in the person of the subject of the present memoir, to whom we now again return.

The events of Mr. Sedgwick's life, on which the biographer can fix as the prominent points to form the outline of its narration, are very few, and may be briefly told. Destined to the practice of the law, he had the advantage of receiving his professional education under the watchful eye of his father. On his admission to the bar, he removed to Albany, in about the year 1801, where he united himself in partnership with Mr. Harmanus Bleecker, the present Chargé d'Affaires of the United States at the Hague. Their partnership, accompanied with the most intimate friendship, continued through the entire period of Mr. Sedgwick's professional life, until an impaired state of health compelled him, in 1821, to withdraw from the profession, and to retire to his patrimonial home at Stockbridge; where the

Digitized by Google

even current of his life has ever since flowed tranquilly on, in the midst of a rare combination of the best elements of true happiness for himself, and in the active diffusion of an enlightened beneficence to others, in all directions about him within the sphere of his influence.

Of his practice at Albany, unable to speak of our own knowledge, we prefer to give the following testimony, communicated to us by a gentleman who may now, without impropriety, be ranked at the head of the bar of the State of New York; and who entered upon the professional career which, in his case, has led to its highest public distinctions, but a short period before Mr. Sedgwick's retirement from it. It should be borne in mind, in forming an estimate of Mr. Sedgwick's professional practice and rank, that the period referred to was that in which the Albany bar was adorned with that unforgotten galaxy of talent which numbered among its stars a Van Vechten, a Henry, and a Van Buren:

"I can only speak, from personal knowledge, of the latter part of Mr. Sedgwick's professional career. During its whole term, he was associated in business with a kindred spirit, our present worthy representative at the Hague, Mr. Bleecker. Their practice was extensive and of the most respectable character, both in the office and at the bar. Mr. Sedgwick took his full share of it in each department, and his conduct in each was uniformly marked by the rectitude, generosity, and frankness which distinguished him in the other relations of life. He was a safe and conscientious adviser; for though he warmly entered into the interests of his clients, no prospect of benefit to them, or of advantage to himself, could tempt him to maintain or abet inequitable pretensions. In the details of professional duty he was regular and methodical; and though no lover of technicalities, careful and exact in the transaction of the business entrusted to him. Endowed with talents which fitted him for the higher and more attractive duties of the profession, he did not disdain the labors of the attorney and solicitor. His industry and faithfulness in this respect must have cost him much self-denial, and are therefore entitled to the higher praise. He was a ready and impressive speaker, and maintained a high rank among the members of a bar distinguished by its ability and learning. His style and manner reflected the moral qualities of his mind. When he had a strong confidence in the truth and justice of his positions, his arguments were earnest and powerful; but he never learned the art, nor acquired the habit, of stifling or disguising his own convictions. He was a cogent reasoner, but a poor sophist; and from his inmost soul he disdained everything like chicanery and artifice.

"Bringing into the forum the same high tone of moral purity, the same transparent candor, and the same spirit of benevolence, which were apparent in the discharge of all his other duties, he always commanded the attention and confidence of those who listened to him, and was justly regarded, by his brethren and by the whole community, as one of the lights and ornaments of his profession. Had he chosen to remain in it, and to devote himself exclusively to its labors, he would doubtless have reached a more conspicuous position; but even those who regretted his retirement in the very prime of life, from this field of usefulness, were compelled to admit, that in seeking happiness in the bosom of his family, in scenes of rural life endeared to him by youthful associations, and in the great work of doing good to his species, he earned—though surely it came to him unexpected and undesired—a fame more enviable and enduring than any which belongs to mere professional distinction."

We feel also induced to add to the above the following extract from a communication by an intelligent writer in the "New York Ameri-

Digitized by Google

can," who refers, as the foundation of his testimony, to an intimate acquaintance of thirty years with its subject:

"At the period above referred to, Mr. Sedgwick had just commenced the practice of the law in the city of Albany, ranking high in his profession, and still higher in society. Had he been covetous of wealth, his industry alone would have secured it. Had he been ambitious of professional eminence, his talents placed the object within his reach. Had he aimed at political distinction, his personal popularity, the manliness of his mind, and the attractive urbanity of his manners, would have rendered his success certain. But it was not in his nature, I may say it was not in his *power*, to place his heart upon either of these.

"The original foundations of his character were cast too deep—his desires were too moderate, his philosophy too just. Young as he then was, he seemed to have cast his eye over the landscape of life, of men and of things, and to have viewed the scene with doubt and distrust. The great objects of the vulgar pursuit, he thought not worth the struggle.

"Satisfied with a simple competency, which he had slowly and honorably acquired, he retired from his profession while yet in the prime of life, and with unremitted diligence devoted himself to *doing good*."

After his retirement to Stockbridge, Mr. Sedgwick applied himself, with all the active habits of his mind, to the cultivation and enjoyment of literary and philosophical pursuits—to the pleasures of society, and of a home as eminently blessed to him, as its kindly hospitality was agreeable to all who visited it—to the various useful amusements of country life—and to the exemplary discharge of all the duties of his position, not only in the more private relations at which it is not for us here even to glance, but in every capacity in which it was in his power to do good to others, whether collectively or singly, as a man, a neighbour, and a citizen. One of his favorite objects was to promote, by his example, advice, and aid, the formation of a taste among his fellow-townsmen for fine cultivation of the fruits of the field and of the garden. He was twice elected President of the Agricultural Society of the county. He also represented his town several times in the Legislature of the State. In the latter capacity, as early as the year 1827, after much examination and reflection, he introduced a project for the construction of a railroad from Boston to Albany; which, after several years of earnest effort, in which he had to encounter every obstacle of prejudice, timidity, and ridicule, he at last succeeded, by the impetus which he had given to it, in carrying successfully through. And though it has not been permitted him to witness the full completion of this great measure, of which he may be regarded as the father, yet he lived long enough to see its partial accomplishment, the road having been opened but shortly before his death for more than half the distance—with the universal favor of the public opinion, at first strongly hostile to it.

As an enlightened political economist, and zealous philanthropist, Mr. Sedgwick could not be indifferent to the important subject of *Politics*. He took an especial interest in the great controversy of the Tariff; he was a member of the Free Trade Convention at Philadel-

Digitized by Google

phia in 1831; and notwithstanding the strong prevalence of a different public opinion, and imagined sectional interest, in his portion of the country, he was a strenuous opponent of the whole "American System." In fact the general direction of the political opinions to which his candid reflections and warm popular sympathies had by this time led his mind, were decidedly adverse to those of the party which supported Mr. Adams in the Presidential Chair. The reader will not, therefore, participate in the surprise which was felt by many of the old Federal friends of Mr. Sedgwick and of his family, on his coming out with his characteristic earnestness and fearlessness in behalf of General Jackson's election to the Presidency. No man ever for an instant questioned the disinterested sincerity of Mr. Sedgwick's opinions; and his open accession to the Democratic ranks—then in hopeless minority in his native State—was received by the latter with warm welcome and congratulation. It is scarcely necessary for us to add, that Mr. Sedgwick has ever since, by the unwavering consistency of his subsequent course, through all the darkest of the hours which ensued, amply justified and confirmed that confidence which his well-known character and name at once unreservedly commanded from the Democracy of the State. His name, as the most popular that could be selected, was more than once united on the gubernatorial ticket, with that of the distinguished citizen whose recent election, after fourteen years of unsuccessful candidateship, has at last marked the turn of the political tide, in the noble old Bay State, which had stood so long stationary at the high flood of its old Federalism. At the last election Mr. Sedgwick had declined the nomination for Lieutenant Governor which he was earnestly pressed to accept. Private circumstances alone influenced him to this course; for at no period were his convictions stronger, or his sympathies more warm, with the cause of the Democratic Party than at the present, when principles were involved in it of which his sagacious understanding appreciated all the importance, to the object nearest his heart—the amelioration of the condition of the great mass of the people. It has been a source of peculiar regret to his political friends that his death took place but a few days before the consummation of that recent brilliant electoral victory achieved by his party, which would have given to none a more sincere pleasure than to himself, though he had abstained from personal participation in the contest as a candidate.

It may be proper to advert to Mr. Sedgwick's opinions on two of the most prominent topics of moral reform which have lately agitated the public mind—the Temperance and Anti-Slavery questions. The very earnestness of his enlightened philanthropy always disposed him to look with disapprobation upon those excesses of impracticable fanaticism, whose blind zeal proves generally the worst enemy of the very reforms in behalf of which their ardor is excited. His mind was too fully imbued with a pervading sympathy with the principle

Digitized by Google

of *freedom*—and with an appreciation of its inestimable value as the best practical agent of working out the highest possible degree of social amelioration—to allow him to look with favor upon any portion of that false system of legislation which would seek to enforce great causes of moral reform by the compulsory processes of law. He was therefore from the outset strongly opposed to the measure commonly referred to as the "Fifteen Gallon Law," notwithstanding that he gave in other modes as warm a support to the Temperance cause, as he exhibited in his own personal habits a practical example of its principles and of its benefits. With reference to the subject of Slavery, his views were equally characterized by his habitual liberality, moderation, independence, and sympathy with the cause of human freedom. They were fully stated in a letter which he addressed to the Anti-Slavery convention assembled at Albany on the first of August last, in reply to an invitation, which he had received to attend the convention. He declined the invitation, though with not less courtesy than firmness; declaring at the same time his hostility to slavery, as a great moral, political, and social evil—and his devotion to the unlimited right of free discussion, impliedly guarantied in the present case by that provision made in the Constitution for its own amendment. He condemned the movement upon Congress, out of which so much excited bitterness had grown, as a wrong and mistaken one—as he also considered the spirit which (with many noble exceptions) had characterized too much of the agitation of this subject at the North, and which had naturally awakened a strong feeling of exasperation on the part of the South, as widely at variance with that which should animate a great moral and democratic cause, such as he regarded the object of effecting the voluntary and peaceful termination of American Slavery. This letter was a noble and beautiful production—and transparent throughout with the character of the mind and heart of the man.

The circumstances of Mr. Sedgwick's recent sudden death are doubtless familiar to the recollection of many of our readers. We willingly spare ourselves the task of their narration, by quoting the following account of them from the pen of the physician who attended his last moments, Dr. Childs of Pittsfield. This town, the scene of this unhappy catastrophe, is about twelve miles distant from Stockbridge. The date referred to is the evening of the seventh of November, 1839:

"The deep-felt sorrow which pervades this community, in consequence of the sudden death of our much lamented friend, Mr. Sedgwick, calls for all the alleviation which can come from a recital of the particular occurrences attending the last few hours of our highly esteemed and generally beloved fellow-citizen.

"Having been present and witnessed the melancholy scene, I feel impelled by a sense of duty to the friends of the deceased, and to the public, to make this communication.

"At 7 o'clock on the evening of November 6th, I met Mr. Sedgwick at the house of Mr. Fields, surrounded by a number of his political friends, who had as-

Digitized by Google

sembled previous to the approaching State election. He appeared cheerful and happy, greeting in his usual cordial manner his acquaintances as they entered the room. Distinguished for his social conversational powers, he was listened to with peculiar interest and unaffected pleasure. Various topics of discourse engaged his attention, as he conversed with different individuals.

"At 8 o'clock we were summoned to supper prepared for the occasion on which we had assembled. While at the table he expressed the sincere gratification he experienced in witnessing so large an assemblage of the substantial yeomanry. He spoke of the securities the interest of the country derived from such a population, and declared his entire confidence in the ability of the people to maintain and perpetuate those principles, on which are based our civil and political institutions.

"Having partaken of the refreshments provided with great moderation, observing that his dyspeptic habit would not allow him any considerable indulgence, he expatiated on the abundant provision of a kind Providence for our comfort and enjoyment, and on the physical and moral benefits of Temperance in all things.

"Being requested to address the company, at about half past 8 o'clock he rose, and in a most solemn and impressive manner introduced the subject of his remarks. Among other observations, he said, that the principles he advocated and the sentiments he should advance were the result of much reflection and no inconsiderable observation; that under existing circumstances, and especially at his period of life, he should be pardoned for what otherwise might seem to savor of egotism—he could now have no object but so to speak and so to act, that his rapidly approaching end might be that of peace.

"His remarks bore the characteristics of feeling and sentiment of a disinterested friend and patriot, giving his parting admonitions. He adverted to the fact of the existence of a difference of political principles, of the grounds of that difference, and the cause which tended to its perpetuation; he spoke of the influence of wealth, both individual and corporate, as naturally hostile to democratic principles, and that the great security of a free and equal government rested with the great class of our community possessed of moderate property, and mainly on the industrious farmer and mechanic.

"The subject of the monetary affairs of the country occupied his chief attention. The conduct of the banks was arraigned and exhibited in its true light—the fallacy of their pretensions exposed, and the proper basis of the credit system presented, its importance admitted, and the folly of charging the Government with any attempt to destroy it. 'The credit system,' he said, 'we must have and shall have—the public ought not to suffer from bank suspension; they have yielded large profits, and if necessary they ought to make sacrifices, rather than that the public should suffer.'

"He adverted to the state of parties in the county and commonwealth, and exhorted the friends of equal rights to alacrity and perseverance, anticipating that their efforts would eventually be crowned with success. Every sentiment he uttered was from the heart, and dictated by the liberal spirit of a philanthropist.

"Near the close of one of the most impressive addresses ever delivered, it was evident, from his subdued manner and a slight faltering of his voice, that some change had come upon him. Fondly did we hope, as he sat down, that it was merely a temporary exhaustion, from which he would soon recover. But alas! the citadel of life was attacked, and as he attempted, soon after, to leave the room, he fell partly down, and it was too evident he had received a paralytic attack, partially disabling one half the left side of the body. Still he retained the exercise of his intellectual faculties, and expressed a strong confidence of a speedy favorable result. The character of the attack was, however, gradually and more surely developing its real nature. All the aid which physicians and kind friends could render was unavailing. It only palliated and contributed to prolong life for a few hours. The affection of the head increased to a complete apoplexy, and between two and three o'clock he ceased to breathe.

Digitized by Google

"Till within a few minutes of his departure, he conversed freely with those about him, neither suffering bodily pain nor mental aberration. He died without the slightest convulsion, with a countenance placid even in death. Though perhaps himself not fully aware of his immediate danger, still he expressed a calm submission, by repeating the emphatic language, 'It is all right.'

"Thus is one suddenly removed from us, severing the tenderest ties of love and friendship. None who knew him but mourn his loss. An affectionate family are plunged in sorrow, and the community are deprived of one whose kindness and liberality will not soon be forgotten. When such men die, the country has reason to mourn. The Providence of God is inscrutable, but it is our strong consolation that infinite wisdom and infinite benevolence orders all events."

Such a man could not be stricken thus suddenly down, without deeply affecting the best sensibilities of the public mind. The announcement of his death elicited from numerous quarters spontaneous tributes to the rare excellence of his character, in various personal sketches and notices appearing in different newspapers of the day. In preference to presenting any summary of our own of his character, we will obviate the impression which already probably has been created on the minds of some readers—that so high a tone of unmingled eulogy but evinces the partiality of friendship, quickened by the recent pangs of regret—by the following quotations from three distinct accounts which have fallen within our observation. The exact correspondence between these different sketches will serve at the same time to verify the common testimony of them all, and to vindicate the general tenor of our own preceding remarks, from the appearance which they might else wear of undiscriminating exaggeration.

The first is taken from the columns of the "Massachusetts Eagle," and is dated from Stockbridge:

"The life and character, that is, the personal virtues of this man, are of chief interest to us. They are an unspeakable consolation to his family, whose hearts are now smitten with grief; who have lost in him sympathies and affections in their purest and best estate. In his domestic and social relations he was above all praise. As the elder brother of a family extensively known by the published works of some of its members, but more advantageously known for the personal virtues of all, he embodied, illustrated, and enforced those maxims of wisdom and virtue, which he received from his eminent and wise father. His house was dedicated to a generous, kind, and unaffected hospitality. His affections were not circumscribed, nor limited to those allied to him, his personal intercourse with all, was that of a friend. No man ever parted from him, but with the conviction that he was beloved by him. This was a true conviction; for he always found, or at least, thought he found, in every man the element of some goodness, however much it might be obscured by vice. He had a strong, true, and unaffected love of mankind, and a stronger faith in the virtues of man than many have, believing that not only their miseries, but their vices are caused more by the inequality of their condition, than by any intrinsic perversity of character.

"With him it was a great object to remove these inequalities; his writings are devoted to this great object, believing as he did, that one of the chief evils of society is the power which one class of men has over another, and that a state of mutual dependence is most favorable to virtue and happiness. I cannot but think that a chief inducement to him to write upon the subject of "Public and Private Economy," was to prevent poverty—to show the laboring man how he might improve his condition. The chapters on the poverty existing in the United States are invaluable,

Digitized by Google

"Were it proper to designate his most conspicuous virtues, where all existed in harmony, we should say they were his love of truth, and his benevolence. *Truth* he always sought, and was therefore a great friend to free discussion, and a liberal man in its true sense. He maintained his opinions with a zeal and firmness which showed his love of truth; but with a diffidence in himself, which made him treat with deference the opinions of others who differed from him. His benevolence was under the guidance of sound religious principle, and warm religious affections. In his estimation the great business of life was to do good to one another. Though he thought favorably of mankind, he was always for making them better. Kindness he thought the most efficient means by which to improve the moral character of men. He may have over-estimated such means, but such an opinion shows the benevolent character of his mind.

"We must bring this sketch to a close, with a painful consciousness of its imperfections, and that our remarks are much below their subject.

"It is a great happiness to have known him—to have had him for a friend. His life and character are left to us. He lived to be a blessing to mankind. Not only our town, but our county and our state has lost one of its most valuable citizens.

"May his example be an incentive to all to live a life of virtue, that its close may be one of peace."

The second is from the "New York American," and is the testimony of a personal friend, though a strong—nay, apparently, a violent and bitter—political opponent:

"Few men have passed through life with more rectitude of mind and purpose, than the late THEODORE SEDGWICK. To a naturally mild and amiable temperament he added a cultivated intellect, an unaffected benevolence, and great simplicity of manners. His mind was active and inquiring; his judgment just, his morality pure, and his principles well defined and well reflected.

"He enjoyed the great and unspeakable advantage of having but little within his own breast to contend with. He had no latent or secret springs of evil in his nature, which his resolution was called upon to repress. He had none of those dark or violent passions, against which reason and virtue sometimes strive in vain. But, on the contrary, the genial spirit of mildness and of sociality reigned in his bosom. The liveliest sympathies, the warmest affections, the most unsophisticated feelings, were his. He carried their impress in his countenance; they were manifested in his voice, his air, his manner. Their influence ennobled his conduct, even while they concealed from the superficial observer the character of his talents.

"I know of no instance in which *integrity* so vindicated the loftiness of its nature, as in him. The consciousness of rectitude, and the entire freedom from all malignity of thought or purpose, seemed to throw around him an air of ease, of self-respect, and even of dignity, which no rank or talent could confer.

"His personal appearance was strikingly plain. He was not only free from the pride of appearance, but negligent in his dress; while his address was unpretending, simple, and familiar. Nor was there much of elegance or of polish either in his language or style of expression; and yet the word *gentleman* was written, as it were, in letters of light all over him. No habit, no situation, no circumstance could conceal it. This living impress of character, was, I think, the natural offspring of the purity and manliness of his mind.

"In his efforts to promote the interests of others, Mr. Sedgwick did not confine himself to any particular class, occupation, or walk in life. Encouraged, perhaps, by the example of his universally admired and highly gifted sister, he employed his pen upon several subjects, and with ability and success. He gave a portion of his time to the public, in the Legislature of his native State, and devoted still more to the agricultural interests of the county in which he resided. Horticulture, literature, and even politics, occupied his leisure hours."

Digitized by Google

The third is taken from the "Providence Republican Herald." Equally characterized by its elegance and its justice, we transfer it without curtailment to our pages:

"Died, at Pittsfield, Mass., on Thursday, November 7th, Hon. Theodore Sedgwick, of Stockbridge, aged 58. Mr. Sedgwick, on the evening preceding, addressed a meeting of the Democratic citizens of Pittsfield, with great power and eloquence. It was his dying attestation to the cause which he had so much at heart. At the close of the meeting he was seized with apoplexy, and, despite the best medical aid, expired in a few hours. Thus has fallen, in the vigor of his days, one of the most estimable of the sons of New England, who had long enjoyed the respect and confidence of his fellow-citizens, who had received from them the well-deserved testimonials of public favor, and who seemed to be designated, by the general appreciation of his talents and worth, at no distant day, for the highest station within the gift of the people of his native state. His best inheritance from a distinguished father, the late Judge Sedgwick, was a vigorous constitution of mind, which he matured by diligent self-cultivation. His attention was early directed to the study of law; which profession he practised for many years with reputation and success at Albany, N. Y. About fifteen years since, he retired to his patrimonial estate in the town of Stockbridge, where he has ever since resided.

"The cessation of professional labor was not succeeded by a life of inactive leisure. The temper of his mind forbade it; and he was constantly occupied with subjects of the highest importance to the legislator, the patriot, and the philanthropist. He obeyed the dictates of a lofty moral nature, not less than the injunction of the great apostle, in 'honoring all men,' and in seeking at all times to promote the greatest good of the whole number within his range of being useful. He embraced with the heart of a true lover of his kind, and with a discriminating preference, those plans of the intellectual, moral, and social improvement of the people, which are the sign and glory of our times. He was eloquent in enforcing the peculiar duties of American citizens under our republican form of government, and in pointing out what he deemed to be the dangers of the country, in abandoning the simple, industrious and frugal habits of our ancestors, and from the tide of luxury, profligacy, and extravagance which is setting in upon us, especially in our great cities, and corroding the best elements of our life and prosperity as a people. It is hardly necessary to say that in the cultivated and hospitable society with which he was surrounded, he carried into practice the principles which he inculcated, and was himself in all his relations the just example of a true son and citizen of the Republic.

"Some of the best thoughts of Mr. Sedgwick are to be found in a work published by him on Public and Private Economy, the concluding volume of which is now in a state of preparation for the press. Without affecting a philosophical arrangement and precision in this work, the lamented author has given the results of much observation and reflection, and has furnished one of the most valuable contributions yet offered by the pen of an American writer to the science of which he treats.

"Mr. Sedgwick's political opinions illustrated his independence and sterling integrity. Educated in a school of politics opposed to the principles of the Democratic faith, he yielded his early prepossessions, and cherished associations, with a sacrifice both of feeling and interest, to his convictions of right and duty; and devoted himself, with his accustomed energy, to the great cause of popular sovereignty and equal rights. His undoubted sincerity and transparent honesty endeared him to the Democracy of his State. No man better understood the principles of the Democratic party in our country, or was more truly convinced of their vital importance to the national prosperity, and to the perpetuation of our republican institutions. In the great political struggle now going on he took an active part, especially in support of that most important of all measures, the seperation of bank and state, and the inde-

Digitized by Google

pendent safe keeping of the public money for public uses. To the service of the people he paid the tribute of his life and death.

"It is the moral character of Mr. Sedgwick, which united him so closely to the sympathies of those who remain, that we delight to dwell upon, now that he is taken away. In all his intercourse with his fellow-men he was frank, confiding, affable, and generous. He carried his heart in his hand. There was nothing for him to conceal. He was a high toned man, of singular purity of mind and life. He had no compromises of honor and integrity. Expediency was not in his vocabulary. He scorned the thought of doing that for the party, which was not also just and honorable in itself. Where he was best known, he was most loved. We may not invade the sanctity of a home, now made desolate, to speak of him as a husband, a father, and a brother. His memory is in the hearts of his friends. He rests in peace.

"The deceased was personally known to but few of our readers. We have made our feeble offering of remembrance in the fraternal spirit of that great brotherhood in which he was enrolled, and which is circumscribed by no boundaries of state or country."

And that the Democracy of his native State are not insensible of the loss they have sustained in his person, we record here, in conclusion, the following emphatic resolutions unanimously adopted by a very large Democratic meeting held at Boston on the 21st of November:

"*Resolved*, That in the death of THEODORE SEDGWICK, humanity has lost a benefactor and democracy a champion, whose purity of principle and firm devotion to the best interests of the people, rendered him pre-eminent as an advocate of equal rights and just laws.

"*Resolved*, That though in the midst of the triumph of those principles of free government which his zeal, and talent, and devotion, even to the sacrifice of his life in the cause of truth, so eminently contributed to advance in this commonwealth, we are called upon to mourn that he was not spared to witness the fruits of his disinterested labors; yet it is a glorious reflection, worthy his memory and worth, that he died as a patriot and a friend of man would best love to die—in vindicating, to his latest breath, the rights of humanity and the true liberty of his country."

To all the above little remains for us to add. The works alluded to as from the pen of Mr. Sedgwick have, on a former occasion,* been made the subject of a review in the pages of this work, and now claim from us merely a reference of the reader to the opinion expressed, and the account rendered of them there. We understand that at the time of his death he was engaged on a work on the general subject of "*Party*," which, though of course left in an unfinished state, will probably be published by his son, Theodore Sedgwick—a gentleman, though yet young, already known with high honor to the Democracy, as well as to the bar, of the city of New York. We look to the appearance of this work with much interest. We trust that it will not be long withheld from the public. The subject is one which has of late years grown into an importance which should engage the anxious consideration of every true lover of our country and institutions. The candor, fearlessness, disinterestedness, rectitude, and patriotism, which so remarkably characterized Mr. Sedgwick's modes of thinking

* See Democratic Review for May, 1839, No. XVII, Page 448.

Digitized by Google

and reasoning on political topics, lead us to expect, in his reflections on this subject, a peculiarly valuable contribution to a discussion upon which we have been for some time contemplating to enter.

Such, then, was Theodore Sedgwick. The memory of his virtues, that gave their keenest poignancy to the first regrets of his friends, affords too the most soothing balm to heal them; while the example left by the daily beauty of his life will long continue to exert a pleasant and a good influence on those whose fortune it was to be familiar with it. His death—calm as an infant's slumber, and leaving upon his countenance, undimmed by any trace of physical or mental suffering, all the light of the transparent loveliness of one of the purest and kindliest of earthly spirits—seems to our imaginations but a natural and happy transition from one mode of existence to another, without affecting the intimate ties of mutual sympathies and affections, which so strongly bound him to the numerous friends who mourn his departure from before the bodily vision and contact of the human sense. A singular presentiment appears to have brooded over his mind for several preceding months, that the close of his earthly way of life was *very nigh at hand*—a presentiment revealing itself on frequent occasions which the memory of various friends can now too distinctly recall and interpret. To a mind thus pure from thought, feeling, or memory of evil—thus fortified with all the preparation of calm philosophical reflection—and secure in its reliance on the anchor of that religion whose essential truths were as deeply established in the convictions of his reason, as its spirit was seen of all men to be the animating principle of his whole character and conduct in life—such a presentiment wore no terrors for him, however it might at times cast a passing shadow of gloom over domestic and social affections peculiarly strong and tender; while in the actual mode of his death—its tranquillity, its freedom from distracting pain, accompanied with the full retention of his mental faculties—he was happy in realizing a wish always entertained and often expressed by him. Rarely has the hand of friendship had to record a death—rather let us say, a departure—in which a more emphatic meaning is felt, by all who knew him, to reside in the exclamation with which we conclude this imperfect tribute to his rare worth—

> Quis desiderio sit pudor aut modus
> Tam cari capitis!

We will not close the present paper, without adding, to the tribute which it is designed to offer to the memory of one distinguished member of this family, some mention of another, whose death preceded by several years that which it has been our painful task here to record.

The second son of Judge Sedgwick, Henry Dwight Sedgwick, though his earthly career was earlier terminated, and though he never exhibited his talents on the open stage of public life, was a man of

Digitized by Google

no less shining mark than the elder brother to whom the preceding pages have been devoted. He died in December of 1831—having been already for several previous years withdrawn, by an unhappy condition of health, from the profession which he had eminently adorned. He had been engaged for many years in the practice of law in the city of New York, in connexion with his brother Robert, now travelling in Europe; and had risen to a rank of professional standing not inferior to the high social distinction, and strong personal attachment, accorded by all who knew him to the many noble and lovely traits of his private character.

To talents which distinguished him, even in a family in which all have stood far above the ordinary level, Henry Sedgwick united a moral purity, a glowing fervor, and a certain sweet tenderness of disposition, that in truth seemed to present one of the most beautiful phases in which human character ever exhibits itself. He was truth itself—all candor, generosity, kindliness. Within his breast no harsh or bitter passion ever found a resting place—powerfully as it could be aroused, at sight of oppression, falsehood, or wrong, to a just sense of manly indignation and abhorrence. He possessed a peculiar delicacy of mind—an unobtrusive modesty—a self-forgetful simplicity—which, while sometimes apt to give an air of eccentricity to some of his personal habits, made him the only one unconscious of the real merit or beauty of the acts of disinterested and untiring kindness to others which he was constantly performing. Selfishness, indeed—he knew not what it was; as little as, in any good cause that kindled the quick ardors of his enthusiasm, he knew the meaning of the word fear. Remarkably independent in the formation of his opinions, he was not less courageous, alike in their expression and in the action to which they might lead. His sensibilities were extremely acute—his affections as tender as they were deep—and his sympathies prompt and strong with misfortune or oppression, or with any cause that addressed its claims to the noble philanthropy of which his heart was the home. Nor was his benevolence of that order that exhausts itself in the sickly and barren blossom of mere sympathetic regrets; it rapidly ripened to the fruit of earnest, persevering, practical beneficence—and many were the poor, the sorrowful, and the down-trodden, who found comfort and support in the taste of it; many, those who felt what was uttered by one, in the emphatic language applied to Job, that "when the eye saw him then it blessed him."

It was the remark of an intimate friend of Mr. Sedgwick—himself "*haud sordidus auctor naturæ verique*"—that he had never known a man in whom was combined in similar degree a great intellectual power, of true, logical reasoning, and wise, healthy judgment—with a flow of feeling, from a perennial fount, unusually warm, deep and

Digitized by Google

strong. And this was the most striking peculiarity of his mind, that while both of these distinct characteristics were so blended and harmonized together that each derived from the other an improving and elevating influence, the former had as little power to chill or check the warm tide of the latter, as the latter appeared to exert to obscure the clear light of the former.

The following sketch of his character is from a pen which records the opinions of intimate knowledge; and which, though quickened by a warm gratitude, was yet guided by a fine intelligence and cultivated powers of judgment and discrimination. We give it from a preference to allow more competent witnesses to speak the testimony which from ourselves might seem to wear the hue of exaggeration: "Such and so dear as he was to all his friends, his absence is an aggravated loss to them; yet we could not wish that his worth had been less, that our regrets might be diminished, nor can we say that we could better have spared a better man. No, he was so much more an object of confidence and honor than ordinary men, that the want of no man's presence and influence could be more felt. But because he is not still here, he is not lost. The value of his example and his sentiments, the effects of his services, and the recollections of all his goodness, yet abide with us. It is delightful to think of these—to revive one's honor for human nature, and our moral trust in our species by calling up a genuine illustration of what a man should be in all relations of life—husband, father, brother, friend, and member of society—surely it is no exaggeration to say that in all these he was without a fault, and no act of his life has blemished his pure name, or severed his dear ties. Often when I think of him, it is in relation to some principle which is undetermined in my own mind, or in doubts concerning some future arrangements of life that may be more or less safe, more or less useful—and I stop and ask myself why were his opinions such a light? Why did prudence cease to be a virtue in relation to him? Why could we so securely trust in him? His integrity, benevolence, and excellent understanding, certainly furnish an answer—but I should name his understanding first, because intelligence informed his virtues, and gave them their application and use—he might have been just as well disposed, but not knowing so well the distinctions of right and wrong, there could not have been the same efficacy in his dispositions. I know not whether a primitive moral sense led him in the ways of wisdom, or whether a rare sagacity showed him the better part, and it became his choice—certain it is, his virtues were no accidents, they grew up with his convictions, and were fostered by them. I think I never knew a man more sincere in morals, even in what are called little things; one whose good will and good opinions had in them more of cordiality and serviceableness, and less of compliments and flatteries. There was a sim-

Digitized by Google

plicity in his honesty that made ambiguities and subterfuges detestable to him. Profession without practice seemed to him, not only unworthy, but foolish. He was never indifferent to any truth; nothing which concerns God's nature and will, and man's obligations and felicity, could, he seemed to consider, be wisely disregarded by a thinking and accountable being.

"And in respect to his judgments of his fellow-creatures, how discerning and kind they were—in many cases how indulgent and how full of pity! But in none did he lose discrimination in charity, or make any compromise between virtue and vice. Sins of passion and of ignorance, the deviations of untaught and unguarded minds, he always compassionated—always weighed the fault against the virtues and the capabilities of the offender—always believed in the regenerating principle, in the compensating power of the moral nature. But wicked habits and a seared conscience, all open-fronted and combined villany, all hypocrisy and sordidness, his soul hated, and his generous indignation was most eminently excited and sustained against false profession, and iron-handed, cold-hearted selfishness.

"Though he lived in the midst of society, surrounded by the iniquity that abounds, he was unspotted from the world. Pleasure did not catch him in her toils, nor avarice sully his hands with the gains of rapacity. All the days of his active life, innocence found in him a defender, truth a champion, religion a true worshipper, and talent and learning a sincere admirer, and a liberal supporter against the enmity, the apathy, and the prejudices of other men. Who that ever knew him doubts or denies all this?"

One circumstance we may be permitted to advert to as alone securing to Mr. Sedgwick a title to the gratitude which few will be disposed to deny to such a claim. It was chiefly, if not wholly, to his appreciation of her dormant powers, and to his encouragement and advice in the developement of them, that we owe all those charming productions of his sister's pen, which are doubtless familiar to most of our readers, as among the most beautiful and valuable ornaments of American literature.

To the same source is also to be attributed the noble direction which the genius of a Bryant has taken, in its worthy devotion to the cause of those great principles of democratic philanthropy to which the columns of the "New York Evening Post" have been devoted ever since it has been under the editorship of that gentleman. Mr. Sedgwick took an early and warm interest in the literary talents which have since shed so shining a lustre on the name we have here ventured to introduce; and it was chiefly under the influence of his persuasions that Mr. Bryant was induced to remove to New York from the obscurity of the uncongenial practice of a country lawyer, in a neighbouring village to Stockbridge; and through his means that he first became connected with the Evening Post—with which arduous capacity

Digitized by Google

he has since identified a reputation inferior in honor only to the more brilliant fame of his muse.*

Mr. Henry Sedgwick was a frequent contributor, not alone to the Evening Post, but to several other newspapers and periodicals. Some interesting papers in the North American were from his pen. He wrote occasionally also in vindication of his religious opinions, which were those of Unitarian Christianity, from the attacks to which those opinions were at that period more often subjected than at present. Such writings were always, however, in a fine tone of liberal candor and kindliness. The intense activity of his mind thus sought an additional vent for the unresting energies which the labors of an extensive and important professional practice could not suffice to engross. He was the author of a number of pamphlets, generally marked by close and strong reasoning, originality of thought, perspicacity, and often elegance, of style, a graceful personal modesty, and uniformly by that spirit of warm and enlarged philanthropy which was the source whence his fine powers derived their chief stimulus to exertion.

He may be regarded as one of the most influential of that school of Free Trade, then in a persecuted minority, which has now, we rejoice to say, conquered over to its own doctrines the decided preponderance of the public opinion even at the North. On this subject his pen was as prolific as it was able and zealous. The bent of his mind especially disposed him to regard it in the point of view of its moral importance, with reference to its influence on the condition of the great mass of society; and among his other writings there are none which his friends can peruse with more satisfaction than a series of forty-seven articles published in the "Banner of the Constitution," under the title of "An Appeal for Justice to the Poor," with the worthily adopted signature of

* We are here tempted to introduce an anecdote suggested by this allusion to the earlier days of Mr. Bryant's literary career, which reflects equal honor on all the distinguished names included in it. His first published poem after his removal to New York, ("Thanatopsis," and the lines "To a Water Fowl," had previously appeared anonymously in Boston in the North American Review, then a comparatively obscure and limited publication,) was his beautiful lines to the "Green River," the name of a small stream near Great Barrington, the scene of Mr. Bryant's early years. They first appeared in the year 1820, in the "Idle Man," a well-known delightful publication of Mr. Dana. At this period Drake—whose early death was scarcely premature, since he lived long enough to bequeath us "The American Flag," and "The Culprit Fay"—resided a few miles out of the city of New York, where it was the custom of his intimate friend Halleck to visit him for the holyday of Saturday afternoon and Sunday. On one of these occasions, being accompanied by Mr. Dana, the latter exhibited the manuscript of the lines to "Green River," just received from their author, then unknown to fame. The sympathetic genius of both Drake and Halleck instantly appreciated all their beauty, and all the promise of an illustrious hereafter which shone from them; and Halleck, by transcribing them, and exchanging his copy for the poet's original, possessed himself of a manuscript of which he well foresaw the future value as an autograph relic—and the same has ever since remained in his possession as one of his most precious private treasures.

Digitized by Google

"A Friend to the Poor." These, as also a number of other valuable contributions to that paper (which was expressly established by Mr. Condy Raguet for the advocacy of the Free Trade doctrine) were published during the course of the year 1831, the year preceding his death. The enthusiasm which pervaded his mind on this subject overcame the obstacles to exertion of this nature, which proceeded from a state of almost complete blindness, and a derangement of health that too sadly affected the integrity of his mental powers. He was the author of the suggestion for the Free Trade Convention at Philadelphia, on the 30th of September, 1831, which he successfully urged upon the public mind, through the columns of the Evening Post, over the signature of "A Lover of his Country." He also formed one of the preliminary meeting in Philadelphia from which issued the call for a more general and national assemblage. Of this body the state of his health (having been shortly before stricken with a paralytic attack) did not permit him to participate in the proceedings, though we find the name of his brother Theodore, the subject of the earlier portion of the present paper, recorded as one of its members. Mr. Henry Sedgwick was, however, present on the occasion, and was invited by the Convention to a seat within its bar, to which it was necessary for him to be supported by his friends.

We will advert to only two other points of interest in this gentleman's life—the one at the very outset, the other at the close, of his professional career, and by their harmony together proving that both proceeded from the same noble source deeply implanted at the foundation of his character.

For the first we would refer the reader to the case of Greenwood *vs.* Curtis, in the sixth volume of the Massachusetts Reports. This was an action by the plaintiff, a resident of a Southern State, to recover on a contract which had been made on the coast of Africa, between his agent and the defendant—the latter then resident there as proprietor of several factories of the slave trade—for the delivery of a number of slaves in exchange for a cargo of goods. The defendant had but partially fulfilled the contract, having violated his engagement to deliver a balance of slaves remaining due on a settlement of the account current between the two. The main question in the case was on the ability of the plaintiff to maintain his action, on a contract of such a nature, in the Courts of Massachusetts. The case was also considerably complicated by other points arising out of the special facts of the transaction. On one of these the Court felt itself able to sustain the action, and give judgment for the plaintiff, without throwing the stress of the case fully on that essential point, the *immorality* of the contract; although incidentally, and with very weak reasoning, it did pronounce against the leading argument of the defence, viz. that the contract was essentially vitiated by its immorality. Judge Sedgwick was absent from the bench at the time of rendering the

Digitized by Google

judgment, engaged on his western circuit. He disapproved, however, of the opinion of the Court, and has added to the regular report of the case a long dissenting opinion, which is given by the reporter in the form of a note. This opinion was wholly the production of the pen, and to a great extent also of the mind, of his son Henry, then a student of law—the Judge having been so forcibly struck, in the course of a warm discussion of the subject with his son, with the large liberality of his views, the soundness of his application of the principles of law, and the acute cogency of his reasoning, as to depute to the latter the task of preparing his opinion. It is a long, elaborate, and noble production, and we think a conclusive argument, on the highest legal and moral principles, against the right of the plaintiff to recover in the case. And characteristic as it is throughout, equally of the mind and heart of its author, we are glad of this opportunity of referring to it as a worthy monument to his memory.

The other scene in his professional life to which we will advert, before concluding this too protracted Article, is alike its last and its brightest—we refer to the celebrated controversy of the Greek frigates, in 1826. The Greeks, at that period struggling, with seeming hopelessness of success, for existence as a nation, had contracted a loan of £2,000,000 in London. From these funds their deputies in that city contracted with two eminent mercantile houses in New York for the construction of two frigates, to be despatched as quickly as possible to the scene of action where their services were so urgently wanted. We will not at this day stir again, more deeply than necessary for the present purpose, the bitter waters of the controversy which grew out of this transaction. Without naming the houses, one of which is no longer in existence—nor entering into details familiar to public notoriety at a period yet fresh within the memory of many of our readers—it will be sufficient for us to state, that the confidence reposed by the unfortunate Greeks in the professed philanthropy, and the reputed commercial honor, of the agents thus selected by them, proved in the sequel disgracefully abused. The funds were most lavishly squandered; the estimates and representations on which the contract had been assigned to the houses were grossly falsified by the event; and finally, on the cessation of the credits in London allotted by the deputies to the drafts of the houses—a considerably larger amount having been already drawn than the estimated cost of both frigates—extortionate demands of compensation for their agency were made by the latter, for which the vessels were held responsible. It became in the sequel necessary, for the special agent sent out to New York by the Deputies to protect their interests, to sell one of the vessels in order to obtain the means for the completion and equipment of the other. This gentleman, Mr. Alexandre Contostavlos, cast himself on the advice and aid of Messrs. H. D. and R. Sedgwick, and Messrs. Duer and Robinson, as

Digitized by Google

his counsel; and the first named of these gentlemen in particular took up with his characteristic ardor and devotion a cause which so warmly addressed all his most generous sympathies. On an arbitration which was had upon the disputed accounts between the parties, an award was rendered which was denounced—and most justly—by the counsel for the Greeks, as grossly inequitable and illegal. The proceedings in relation to it extended through several months, and became attended with a still gathering degree of excitement and acrimony. Mr. Contostavlos was placed in this difficulty of position, that not only was he most anxiously impatient for the departure of the remaining frigate—already delayed long after the time at which it was expected and urgently needed in Greece—but was in danger of its seizure and confiscation by the U. S. Government, the whole transaction being directly contrary to the laws of the United States, though the deputies had made it an express condition of the order for their construction, that it should only be undertaken if in accordance with those laws. It was found extremely difficult to obtain possession of the frigate out of the hands of the arbitrators; and it was not without a display of spirited resolution, not unattended with personal danger, that Mr. Henry Sedgwick—the leading counsel in the business—was able to obtain the possession, and transfer it to the sacred cause for which it was designed. Into this affair he threw his whole soul. It excluded almost all other business—all other thought—and kept the powers of his mind, and the excitable sensibilities of his heart, in a constant state of tension so highly wrought, that its eventual effects were most prejudicial—most fatal, indeed—to both the mental and physical health of the devoted advocate. The bright and keen temper of the blade wore through its fragile sheath—and Henry Sedgwick was too soon perceived to have become a noble martyr to the noblest of causes.

Among the numerous publications which were elicited by the mutual heats of this controversy—and in which all the overshadowing power of the high commercial and social influence of the houses and the arbitrators in question could not prevent a most signal triumph of the cause of the Greeks, before the tribunal of public opinion—our limits will permit us to cite only the following concluding passage of the pamphlet "Narrative, &c." of the Greek Agent, himself a gentleman of distinguished ability, worth, and patriotism. We quote it notwithstanding its introduction of the names of still living parties, for the sake of the honorable tribute which it records to the subject of the present notice, who most of all the gentlemen engaged was the master mind, the animating spirit, of the whole affair:

"But what will fill every bosom with horror remains still to be told. I think I mentioned that the deputies, in commissioning these two frigates, wrote to both houses not to undertake the building of them in case the laws of the United States should be opposed to their construction and departure. Messrs. —— and ——

Digitized by Google

answered that there was no law to prevent it, and, without any farther trouble, undertook their construction. It was now, during the arbitration, contended by my counsel, and must be acknowledged on all hands, that this transaction was illegal, and that the frigates were subject to seizure and confiscation at every moment, and at the instigation of any man who should choose to be an informer. Was it then generous, was it just, was it christianlike, that these arbitrators, after having awarded to these houses a commission amounting altogether to $86,381 60 for the building of these two frigates, to award and order their balances to be paid, and throw upon a foreigner not only the whole responsibility of the law, but also the impossibility of sending out this last resource to his country! Generous reader, whoever you are, calm your anxiety. The frigate, the only frigate, which cost £155,000 sterling to the Greek nation, is now on her way to Greece. For the same country that gave birth to these arbitrators, gave also existence to Henry D. and Robert Sedgwick; without whose intervention and assistance, the generous way in which, through their disinterested solicitations, a bond to an amount of $600,000 has been signed by several individuals, and their unparalleled exertions, the frigate, with this award, could never leave these American shores! These two gentlemen, with the upright and noble-minded John Duer and B. Robinson, constituted my counsel. The noble, the independent, the fatherly way (for friendly does not express half the feelings of my heart,) in which they have defended this sacred cause, has acquired for them my gratitude and the gratitude of my country."

We again feel it to be necessary, as before, to fortify by other testimony the language in which we have discribed one of the noblest and loveliest of characters, to guard against the probable suspicion of a too undiscriminating private partiality. We select the following from a Boston paper. In making this quotation, it will scarcely perhaps be necessary for us to allude to the qualification of some of its general statements, which the intelligent and friendly reader can make for himself, as to the latter portion of his professional practice, with reference to the probable, though long unsuspected, state of Mr. Sedgwick's health; and even this remark we are induced to make, only to meet and remove some erroneous impressions which may possibly linger on the minds of some persons, from circumstances of unaccountable eccentricity, within the period alluded to, to which they otherwise might not have possessed the proper clue:

"Died, at Stockbridge, on Friday last, after a long and distressing illness, Henry D. Sedgwick, Esq, Counsellor at Law, in the 47th year of his age. He resided for a few years after he had entered upon the labors of his profession, in this city, and subsequently in the city of New York, where he was engaged in an extensive and successful practice, until his health and the powers of his active and vigorous mind, became so impaired, as to induce him to retire from business. He was well known in the Courts of both States, as an able lawyer, well versed in the principles as well as the authorities of his profession, and remarkable for his capacity to comprehend them readily and clearly, and to apply them justly, to the particular case under consideration. He was therefore an able, judicious, and safe counsellor, and a powerful advocate. To these qualifications for commanding the confidence of his clients, he added a careful attention and a zealous devotion to their interests. His active mind was much employed on other studies and labors than those of his profession. Among his college associates he was distinguished as a general scholar, and he more than kept pace with his contemporaries in the extent and variety of his acquirements. He wrote with ease, and in a style of neatness, and often of elegance, which always recommended his productions to favorable notice. He was

Digitized by Google

a frequent, and always a valuable contributor to various public journals, and many subjects of interest, particularly in politics and political economy, were discussed by him with much ability. He was particularly an ardent and able advocate of the doctrines of free trade. He took a strong interest in every thing which tended to the public welfare, and was always ready to lend his efforts to extend the means of information to enlighten the public mind, and to promote the cause of public improvement. He possessed, moreover, those qualities of the heart as well as of the understanding, which secured the strong attachment of his friends. Of these, it was his fortune to have many, who have witnessed with the most painful regret the progress of that disease, which, after destroying the powers of his noble intellect, has at length closed his days. He was a religious man, conscientious in the discharge of his moral obligations, a firm believer in the Christian religion as it is understood by Unitarians, and well informed in the grounds of his faith, from careful study and reflection.—Those who deplore the loss of one possessed of so distinguished powers of usefulness, and the object of their fond attachment from the kindness and benevolence of his disposition, may find consolation in the recollection of the successful devotion of those powers, so long as Providence permitted, to the purposes for which they were given, the good of his fellow-men."

If the imperfect and hastily drawn outlines we have here been able to present, of the lives and characters of the two brothers who have been the subjects of the preceding remarks, shall have the effect of inciting any others to an emulation of the virtues which have so well entitled them to such a tribute to their memories, then shall we be satisfied that we have not been led, by our interest in the topic, to devote too many of these pages to this *par nobile fratrum.*

THE MAIDEN'S MONUMENT.

When I am gone,
Rear no cold sculptured stone,
To mark the spot
Which well I know will not,
Though nameless all, by some true hearts be e'er forgot.

Strew o'er my rest
The flowers I love the best,
Gentle and pale,
Yet on the eve's soft gale
Breathing their own sweet soul, the lilies of the vale.

For when ye come
Each spring to mark their bloom,
The flowers shall be
Types of such memory,
As I would have your hearts, dear friends, still keep of me.

Digitized by Google

A CHRONICLE OF NIEUW AMSTERDAM.

BY J. T. IRVING.

MANY, in the sultry months of summer, abandon the thronged and heated city of New York, and settle themselves in some shady nook in the vicinity of the East River, to breathe the invigorating air of the country, and gather fresh strength to withstand the sapping influences of a winter of toil or revelry. Yet few of these, as they pass the numerous little islands gemming the bright waters of that river, or loiter along its borders, are aware that they are floating by scenes replete with classic reminiscences of our Dutch ancestors, and are treading upon ground hallowed by the tales and traditions of other times, and of the loosely breeched heroes who figured in the dreamy days of the Dutch dynasty. Almost every inlet in this river, from Kip's Bay up to Throg's Neck, has been the resting place of a traditionary character; and every island the haunt of a broad-bottomed bandit of the true Dutch school. Time has thrown his mantle over them; and though for a while their vices gave a notoriety to their names, yet like many more worthy and famous than themselves, they have sunk into oblivion, and the places that knew them know them no more. Here and there, however, a few escaped the general doom; and although held in no great estimation in their own time, their rough characters are handed down to a later age, mellowed by the hand of time, which softens their vices and throws a shadowy air of chivalry around their very crimes.

A hero of this stamp was Hyder Van Kloften, the robber of Great Barn Island. He took up his abode—many, many years ago—upon an island, within a few miles of the goodly city of Nieuw Amsterdam, and lying within the very jaws of that angry vortex of waters, generally known as Hell Gate. He was a stalwart, strapping fellow, who feared neither man nor devil, and who was gifted with a blunt conscience, an iron arm, and strong marauding propensities, which he indulged to the great annoyance of the good folk inhabiting the neighbouring shores. His expeditions were at first carried on by stealth, and in his own immediate vicinity; but as he escaped with impunity, they gradually embraced a greater extent of country, and became more frequent and daring; until at last they were carried on in the very heart of the city, and under the very nose of its irritable Governor, William Keift, himself. Indeed so unceasing did they at last become that he gave the inhabitants of the Colony no rest either by day or by night, and was always sure to pounce upon those who least expected him.

Digitized by Google

Nothing was known to come amiss to him; he robbed a house, a stable, a hen roost, or a watermelon patch with equal alacrity, for he was a universal genius, and adapted himself with great philosophy to circumstances. He did not, however, confine himself exclusively to these; for it was well known that he had several times taken impertinent liberties with the pockets of some of the dignitaries of the town who had been so unlucky as to cross his path, and whose wealth and respectability should have shielded them from his rapacity. To those who submitted quietly, he was suavity itself—but to those who made the slightest show of resistance, he threw out significant hints about "six inches of cold iron"—"a bed among the lobsters"—"a tumble over the cliffs at Kip's Bay"—and a variety of arguments of the same convincing nature; and generally dismissed them with a tweak at the nose by way of impressing his remarks upon their memory.

His house was perched, like an eagle's nest, upon a small craggy eminence on Barn Island; and on the very brink of the rock which from its elevated site afforded a commanding view of every thing that might pass up or down the river. Here he would stand for hours on the watch, like a fish-hawk on the look-out for his prey; and wo to the unlucky craft that ventured to skim the waters when Hyder was on his stand. It was sure to be boarded and plundered, its owner battered and pommelled, and not unfrequently favored with a supplementary souse in the river, to cool the uncomfortable excitement which such a pleasant little adventure might be supposed likely to awaken even in the phlegmatic temperaments of the then sole navigators of these waters.

These occurrences gradually became so frequent, that his name grew to be as great a terror by water as it was already by land; and so well skilled was he in all the currents and eddies that guarded his island, that he hesitated not at any time of tide, to encounter the terrors of the Pot, Frying Pan, and Hog's Back. He was familiar with every rock, from the foot of Blackwell's Island to Throg's Neck, and he had even ventured through the boiling waters of the Kills, along the coast of Little Barn Island, until he skimmed his bark over the quiet, dreamy waters of the Harlaem River, and following its devious course, emerged upon the broad bosom of the Hudson, and returned to his own rock-bound nest by sailing round the city—being the first who discovered that Nieuw Amsterdam was in reality situated on an island.

Sometimes his skiff was seen darting over the calm waters of Flushing Bay, or doubling the point of Riker's Island; at others it was rippling through the river near Throg's Point; now it would be espied nestling in some cleft of rock at the foot of Blackwell's Island, while its owner was keeping a hawk-like watch for the appearance of some adventurer upon the Bay; and again it would swing for hours at anchor behind some rock, swaying lazily in the rippling breeze, or

Digitized by Google

whirling with the eddies of the changeful current. But whatever his employment of the hour—did an adventurous craft but put forth from the land, his occupation was at an end, his little skiff shot out upon the deep water, and flew like a bird on the wing in pursuit of its prey. Few escaped him. So quiet were his movements, and so swift his boat, that many attributed his success to improper associations, and threw out dark hints, that he had dealings with a certain character notorious for being no better than he should be; and who, it is shrewdly suspected, has a sort of kindly feeling toward those whom the world regards with an unfriendly eye.

These were all sources of great tribulation to the inhabitants of the Colony; but they were nothing compared to the consternation that would prevail when the sturdy Hyder was seen urging his piratical craft across Kip's Bay, and making directly for the town. All was uproar. The fowls were driven to their roosts—horses were haltered and hobbled in the stables—the doors bolted and locked, and the keys lodged in the profound pocket of every Dutch proprietor. It is also asserted that in several instances the pigs were driven into the parlours—and that a number of the more wealthy of the inhabitants seized upon their money chests and buried them in their cellars. But as a worthy chronicler very properly observes, the world is given to scandal; and these remarks being uttered by mere nobodies against persons who were rich and respectable, it would be as well to attach little credit to them.

It is also asserted, that upon one of these occasions the Governor sent orders to have a small fort, which looked out upon the Bay, garrisoned with troops, the guns mounted, and every preparation made for a vigorous resistance in case of an attempt to storm the town—a measure which they had every reason to apprehend from their knowledge of the desperate character of their formidable though single-handed enemy.

Yet with all his notoriety there was a strange diversity of opinion as to his personal appearance. Some represented him as a hard-featured ruffian, of about fifty, with a face seamed with scars. Others—and these were the young and beautiful of the other sex, whose hearts were alive to the romance of his character, and were softened by his feats of chivalrous hardihood—contended that he was a young fellow, of fine form and features—a perfect model of a man; that his clothes were in the last Dutch fashion; that he was attired in a dashing broad-skirted coat, with most captivating red stockings, and that his small clothes (so called) were unexceptionable, being neatly buckled at the knee, and of the most voluminous dimensions in the nether extremities.

The old ladies, however, who owned pigs and poultry, described him as all that was horrible—cruel, relentless, and bloodthirsty; and the heads of the decapitated fowls which he not unfrequently left in

Digitized by Google

the rifled roosts, bore ample testimony to the truth of this description.

The inhabitants of Nieuw Amsterdam were an enduring people; but there is a limit even to Dutch endurance; and the depredations of this insatiate freebooter had increased to such a degree, that the Colony was becoming impoverished, and the venom of its inhabitants was at last fairly excited. About this time, too, a dead body was picked up in the Bay; and the dismissal of the soul was unanimously saddled on the broad back of Hyder. The town now was in great commotion; knots of four or five gathered in various parts of the city, smoking vehemently, and casting furtive glances over their shoulders. 'Tis true they uttered not a word; but their looks were portentous, and big with the fate of the bandit. There was evidently a smouldering fire in the Colony, which wanted but little to fan it into a flame, and to excite them to measures that would strike dismay into the heart of the hero of Barn Island. That very night it came. At nine in the evening, a messenger, wheezing with corpulency and alarm, burst in upon an assembly of burgomasters and Schepens, who were smoking in solemn conclave at the tavern of Myndert Quackenboss, with the astounding intelligence that there had been a collision between Hyder Van Kloften and the Governor, in which the latter had been worsted—that the brigand had broken his pipe,—tweaked his nose,—and annoyed his hinder parts with sundry applications of his foot, far more vigorous than agreeable,—and after rifling his pockets, had taken his departure, leaving the worthy governor very much aggrieved in body, and not a little inflamed in temper.

Great was the consternation and uproar. Handbills were posted at every corner, offering a reward for the capture of the miscreant. A general meeting of the burgomasters was called—to pass resolutions. And, it is rumoured, such was the general personal apprehension of each, that Klaas Van Hig, a person of no small note, through fear of midnight assassination, slept for a whole week with a huge and rotund iron pot-lid resting as a shield upon his stomach, to the convexity of which it adapted itself admirably—that being the particular portion of his body which the portly Mynheer on all occasions regarded as the first object of his solicitude.

The afternoon of the day appointed for the meeting of the sages of Nieuw Amsterdam was dull and gloomy. The sky was darkened with clouds, as sombre and portentous as those which overhung the destinies of the city. And as the night set in, a storm burst upon them in unmitigated fury. The rain swept through the streets in long sheets. The wind howled fearfully through the trees, and among the pointed roofs. The weathercocks screeched on the tall gables like demons at revel. The whole bay was lashed into a sheet of foam; and old houses—there were old houses even in that olden time—rocked to their very foundations.

Digitized by Google

Those whose rank excluded them from a participation in the town deliberations drew closer to their firesides; the vrouws, both old and young, edged their seats nigher to each other; the negroes deserted their kitchens, and with starting eyes and chattering teeth, ventured unrebuked into the parlours. A chilly feeling of dismay seemed to pervade all classes; conversations were low and mysterious; furtive glances were thrown toward the dark corners of the room; one and all declared that this was the very night for Hyder to be on the wing; and not a soul in the whole colony but was in momentary apprehension of seeing the dark scowling brow of the brigand, peering over his shoulder, and fancied his pockets rifled—his nose tweaked—and that portion of his person, where honor is wont to take her humble seat, suffering under the form of aggression known to be habitual to this most irreverent marauder.

The potentates of the town, however, were men of other calibre—persons of great rotundity of abdomen, and of corresponding courage. They had viewed the spoliations of Hyder with an angry eye, and thought it full time that his high-handed domination should be put to an end.

In stout hearted squads of four or five, well muffled with shawls and wrappers, they set out for the place of meeting, keeping the middle of the path, and having a wary eye about them, to guard against surprise or ambuscade—for however bold and brave Alexander or Julius Cæsar, or other worthies of the same kidney, may have been in facing the foe in open combat, yet history afforded the worthy burgomasters no authority for supposing that even they would have preferred to be first made aware of his pretence by an *a posteriori* demonstration.

The house of Myndert Quackenboss stood not far from the brink of the East River. It was a tall, gaunt building, with a multiplicity of gables. It had a flaunting sign over the door, whose mournful creaking sank deeply into the hearts and courage of the patriotic fathers of Nieuw Amsterdam, and filled them with gloomy forebodings as to the fate of their beloved city. Not a man crossed the threshold, who had not meditated the passage of a resolution of the most determined character.

Nothing can be more impressive, than an assemblage of the age and intellect of a country in the hour of darkness and danger, met together to devise means for averting some great national calamity; and history loves to pause for an instant to contemplate so solemn, so touching a spectacle.

Such was the meeting of that night. There was the wealthy Rupert Ten Eyck, whose cabbage gardens and money bags were the envy of the New Netherlands. And there was the profound and judicious Klaas Van Hig—not to mention many others—men of war—renowned for valor on the field, and judgment in the council. And as they sat round the hall which was wont to be the scene of these

Digitized by Google

reverend assemblages of all the wealth and wisdom of Nieuw Amsterdam—with their ample tankards at their elbows, and their pipes all lighted, like the fearful array of the matches of a loaded battery—Myndert Quackenboss, in the exuberant exultation of his heart, was tempted to withdraw his pipe from his lips—to pause for half a minute in the emission of his curling volleys of smoke—and to burst forth in the triumphant ejaculation, that if such a meeting could not put down this vagrant thief, then nothing could—and he only wished that he were there to see them!

Scarce was this complimentary remark uttered, than, as if in answer to it, came a sharp, loud knock at the door, which had been locked to prevent intrusion. A deathlike stillness pervaded the room, and a more deathlike paleness was seen to pervade the habitual rubicundity of the bold speaker who had just given utterance to so fearfully rash a sentiment. The knock was repeated with redoubled violence. Not a soul stirred—till there came a third and louder summons, and then a blow evidently from a foot that seemed well used to such application of its vigor, which carried lock and bolt before it; and in stalked the applicant, a man of gigantic height, muffled in a cloak from which the water streamed in torrents; with his broad-brimmed hat slouched down so as completely to hide his face.

"Donder and blitzen, what a night!" exclaimed he, as he entered, and stalking across the room and drawing a small stool from a corner, he seated himself directly in front of the fire. Then without heeding the perplexity of the assembly, nor the utter dismay of the landlord, he threw off his wet wrapper, displaying a pair of shoulders of immense breadth, and a profusion of shaggy elf-locks dripping with rain. There was something too, which occasionally glittered beneath his vest in the light of the fire, which struck those who caught sight of it, as not unlike the butt of a pistol.

Without entering into conversation with any one, or appearing to notice those about him, the stranger drew a pipe from his pocket; and lighting it by a coal of fire, commenced smoking with the coolness and ease of one at his own fireside.

It was the good fortune and the pride of Nieuw Amsterdam to number among her sons, one Stoffel Steinbach, a man of great intrepidity and valor, inasmuch as he had served in several desperate campaigns against the Indians, in which there had been a furious discharge of menaces and hard epithets on the part of the Dutch, but little waste of other ammunition. On these occasions, Stoffel, being a man of large frame, and of powerful lungs, acquitted himself in a manner that drew upon him the applause of the whole province, and established for the name of Steinbach a fame for dauntless valor, little inferior to that of Hyder himself.

Such was the man who now took a prominent part in the deliberations of the sages of Nieuw Amsterdam, and upon whose well-known

Digitized by Google

energy they now relied. Nor did Stoffel disappoint them. Refreshing himself with a deep draught from the flagon at his elbow, and drawing a few deliberate whiffs from his pipe, while the smoke floated like a halo around him—he rose and approaching the stranger, with that civility natural and becoming to true bravery, informed him, that the meeting was one of a private nature; that it was composed of the wealth and magistracy of the place, assembled for the purpose of deliberating on matters of deep import to the welfare of their city.

The person whom he thus addressed heard him out without changing his attitude, otherwise than to cast a savage and contemptuous scowl over his shoulder, and slightly to draw up his lip, in a manner not unlike the grin of a bulldog preparing to bite; and then taking his pipe from his mouth he replied gruffly, "that he was glad to find himself in such good company. That as the night was stormy he had no intention of departing until the rain had ceased. That if the wealth and magistracy of the place were not pleased with his company, they were welcome to rid themselves of it, by going about their business." Uttering these few words in the abrupt, stern tone of one not to be trifled with, he resumed his pipe, and drew his stool still nigher to the fire.

He had, however, one to cope with, who like himself was a dealer in hard language, and knew its full value; and although somewhat startled at being thus bearded by an unknown man, still Stoffel felt that the eyes of the world and of posterity were upon him, and determined not to yield without a farther effort. Belching out a portentous oath, he drew back farther and farther—for the purpose of a good start, of course—like a lion preparing for his spring—and fortunate was it for the stranger that he did so; for it gave Klaas Van Hig an opportunity of interfering to prevent a collision, which from the known character of Steinbach, and the rugged strength and savage bearing of the stranger, promised to be fearful, and to endanger the upsetting of all the tankards in the room. With that shrewd policy which rendered him so efficient in council, Klaas by gentle words gradually soothed the irritated feelings of the Dutch warrior, who exhibited himself magnanimously placable; and to prevent farther angry discussion between him and the stranger, and perhaps to save the dignity of the town from farther derogation, it was proposed and settled, that without farther delay, the object of the meeting should be taken up.

To all this the intruder paid no attention, remaining silent, puffing out dense clouds of smoke, and apparently having a confidence in himself which his powerful frame, and indications of great bodily strength, fully warranted. No sooner, however, was the name of the dreaded Hyder mentioned, than his attention seemed awakened. Turning his head toward the speaker, while his small black eye glittered like fire beneath his shaggy brow, he growled out, in a startling tone:

Digitized by Google

"You had better let Hyder Van Kloften alone; he's not fond of being troubled; nor is he apt to forget those who meddle with his affairs."

For a few moments there was a general feeling of dismay, and a deep silence. Several of the burgomasters cast wistful looks at the door; some rose to their feet, and others deserted their seats. Knots gathered in different parts of the room, and a buzzing consultation was held in very vehement Low Dutch. The only effect that this produced upon the stranger was to induce him to slouch his hat still lower over his face, and to hitch his stool still nigher the fire, while he smoked away as composedly as before.

Again did the courage of the brave Stoffel stand them in stead; for stalking up to the source of all this most unprecedented disturbance, and looking him full in the back, with a glance, which, had it encountered his, must have made his heart sink within him, he said:

"Harkye, sirrah—you are an intruder here, and if you intend to remain, must not meddle with what does not concern you. If you do ——" He did not finish the sentence in words; but the fierce manner with which he thumped his stomach, and the appalling tone of his voice, produced a prodigious sensation among the sages of Nieuw Amsterdam, who ever afterward regarded him as one—only too brave.

No sooner had he finished, than the stranger, extraordinary as it may seem, nothing daunted by the imminent peril of his situation, rose slowly to his feet, and kicked the stool upon which he had been seated into the fire. Turning short then upon Stoffel, he bent down until he thrust his nose almost in his face, and quietly remarked:

"What I have said, I now repeat. You had better not meddle with the affairs of Hyder Van Kloften. You have picked up one dead body, I hear, in the river—there's room there for another—do you understand?"

Never before was the stout-hearted Stoffel so completely aghast, but the eyes of Nieuw Amsterdam were upon him, and he determined to strike one more vigorous blow for his fame. "Donder and blitzen!" exclaimed he, in a tone whereat even himself was greatly amazed, and which he hoped might intimidate his adversary, although he began strongly to suspect that he was not liable to sudden fits of panic. "Donder and blitzen! You speak boldly for the robber—perhaps you have seen him?"

"I have," was the laconic reply.

"And know him?"

"I do."

Stoffel cast a suspicious glance in his face, and asked, with a considerable abatement in the force of his voice, "what manner of man he was?"

For some moments the stranger seemed in doubt; but at length

Digitized by Google

stretching himself to his full height, and raising his slouched hat from his head, he answered:

"I am told there is a strong resemblance between Hyder and myself."

Stoffel drew back several steps, and a deep silence reigned in the council chamber, while the stranger proceeded to fumble in his pocket, from which he finally drew a folded paper. Slowly unfolding this, he displayed a sheet closely written with Dutch characters, and bearing at the bottom the flaunting signature of Klaas Van Hig.

"Here," continued he, in a tone of stern deliberation, at the same time crossing the room and placing his back against the door, to cut off all retreat—"here is a proclamation offering a reward of one hundred and fifty guilders for the delivery of the person of that notorious vagrant and thief, Hyder Van Kloften, into the hands of the authorities of Nieuw Amsterdam. It is signed by 'Klaas Van Hig.' Is that your signature?" demanded he, turning to that worthy without hesitation.

The prudent Klaas felt that his wisdom had been at fault for once; but repentance came too late, and there was something in the manner of his interrogator that shut out all equivocation, so he took the paper, closely inspected it for a few moments, until it was impossible longer to delay his answer, and then, returning it to the stranger, summoned courage for the effort to return a mild assent.

"And are not these," continued he in the same deliberate tone, and looking round upon the paralyzed councillors, "the respectable magistrates of Nieuw Amsterdam?"

Again Klaas bowed his head in assent.

"'Tis well," said the stranger. "*I* am Hyder Van Kloften. Here he is. I demand the reward—and to you I look for payment," added he, fixing upon the prudent Van Hig an eye that made his very flesh creep.

Here was a capture of the bandit with a vengeance; and never was a deliberative body so completely taken aback by the fulfilment of its own projects. A deep groan burst from the assembled fathers; several started involuntarily to their feet, and one or two cautiously stole off to the dark corners of the room, while Klaas, with his usual forethought, seeing that there was little aid to be gained from his fellow-citizens, with great magnanimity threw himself upon the divine protection, and falling upon his knees, straightway travelled with marvellous celerity through all the intricacies of a Low Dutch prayer. Prayers, however, were not the coin that the freebooter required; and a vigorous application of his toe brought the devotions of his victim to a premature conclusion, and elevated him to his feet with an alacrity which, in one usually so corpulently majestic, was somewhat uncommon, and not a little unseemly. Klaas, however, on occasions, was gifted with a vast supply of that moral courage gene-

Digitized by Google

rally designated by the ancients under the name of *vis inertiæ;* and faithful to his purse, submitted to several hearty thwacks across the shoulders, and an equal number of shakings that nearly suffocated him, before he drew it forth. But at last it came—a plethoric little bag of leather, with a bottle belly, crammed to bursting, and tightly secured at the neck with a cravat of greasy leather.

"Pray, don't trouble yourself," said Hyder, seeing him preparing to unloose the string; and removing the bag with gentle violence from the hand that clutched it, the brigand quietly deposited it in his own pocket.

"Ter Tuyfel!" exclaimed Klaas, carried far beyond his usual mild forbearance at this cool appropriation of his funds, "that bag contains a thousand guilders!"

"So much the better," replied Hyder. "As I shall frequently deliver myself up to the authorities, I take it as payment in advance of the rewards which they doubtless intend to offer hereafter. So much for that—and now for the taxes," exclaimed he fiercely; and dashing his hat to the floor he drew a pistol—cocked it with a dreadful double click that echoed fearfully round the room—and ran his eye savagely over the whole assembly, as if selecting a victim.

"That hat," said he, pointing to it with his pistol, "must be filled —ay, to the brim—and the man that is last shall have the contents of this for a receipt," said he, tapping the band of the weapon.

The words acted like magic. Never was legal or illegal process for the payment of money so rapid in its operation. Never had the plethoric sages of Nieuw Amsterdam displayed such feats of agility; —and never, since the days of Danaë, had there been such a shower of gold. Those were hard-money times, and not one minute had elapsed before the wish so politely hinted by the brigand had been complied with.

Advancing, and raising the hat, he bowed courteously to the assembly, and said:

"Worthy Mynheers, I thank ye for your liberality; and as any backwardness to comply with my reasonable request, has evidently arisen from inability rather than disinclination, I shall omit the unnecessary form of my promised receipt—the rather, as it would be impossible for me to decide which of the three last who have made their deposites is entitled to it, and neither appears anxious to claim it." Then advancing to Stoffel Steinbach, he took him cordially by the nose, and shaking it heartily—not omitting a corresponding favor in another quarter, which deposited the discomfited hero against the wall at the opposite side of the room,—he civilly wished him a pleasant evening, at the same time stating that he would no longer intrude upon the meeting; and exhorting them by all means to adopt rigorous measures to put a stop to all pilfering; and above all to shake the stern arm of the law over all island marauders.

Digitized by Google

As he approached the door, however, he turned abruptly about; and addressing them in a tone that made them quake, forbade any to quit the building for fifteen minutes, "or else!"—here he shook his pistol in a manner sufficiently expressive. In another moment, he had disappeared in the darkness—and then the plash of an oar was soon heard in the river, even above the wailings of the storm.

For the time prescribed, the dignitaries of that worthy city sat as if spell-bound; but no sooner had it expired, than the room was deserted; and in fifteen minutes more the town was in uproar. The men swore roundly, the women screamed, the dogs barked, the bells rang, and several, who still retained their presence of mind, retreated to the fort; and having double-shotted the guns, poured a volley directly into the heart of the cabbages of Communipaw, an unoffending little Dutch settlement on the opposite side of the Hudson.

The brigand, however, being on the river on the opposite side of the town, despite the cannonading of Communipaw, and the lashing of the storm, reached his home in safety; and the spirit of the Colony, Stoffel Steinbach and all, being completely broken by this last unheard-of feat of audacity, he continued to reign, so long as he chose to make his abode in these parts, undisturbed monarch of the waters of Nieuw Amsterdam.

PARTING HOURS.

BY MISS S. W. FLINT.

Farewell—oh, word soon spoken—
  The all that words can say,
E'en though the heart be broken,
  When friends are torn away.
The clinging hand close pressing,
As if that mute caressing
  The parting hour could stay.

In the loved home, unbroken,
  Through childhood's happy years,
At length the word is spoken,
  That dims bright eyes with tears.
The boy from home is going—
Fearless—because unknowing
  What cause he has for fears.

Digitized by Google

From parent's eyes are stealing
  The bitter drops that tell,
How much of troubled feeling
  Their anxious bosoms swell.
Trusting their boy to strangers,
And all life's unseen dangers,
  They murmur their farewell.

As evening's star for brightness,
  And pure as she is fair,
As a young bird for lightness,
  Whose home is the free air,
See the young maiden seeming
Too blessed, in youth's sweet dreaming,
  Ever to know of care.

But mark—as o'er the river
  The soft cloud shadows glide,
Chasing the rays that quiver
  Along the sportive tide—
So shades of thought are stealing
O'er her bright eye, revealing
  A tale she fain would hide.

Hope to her ear is singing,
  In strains ne'er heard before,
And toward the future winging,
  Exulting more and more;
So sweet the tale 'tis telling,
She pants to have a dwelling
  Upon that flowery shore.

The birds, the trees, the flowers,
  The light of summer skies,
The hush of evening hours,
  The sunset's glowing dyes,
All that is sweet and fair,
That lives on earth or air,
  Is sacred to her eyes.

She loves the wind, low sighing
  Through autumn forests lone,
The yellow leaves fast dying,
  And o'er her pathway strewn,
For they bring no mournful token
To a heart whose joy unbroken
  Breathes music in each tone.

Digitized by Google

Now stands she by the altar,
  The holy vow to tell;
Kind voices blessings falter—
  With grief fond bosoms swell.
Hope paints for her the morrow,
And mingled joy and sorrow
  All in that mute farewell.

List, list—so softly treading,
  What means this stillness? why
These clouds like nightfall shedding
  A gloom o'er every eye?
From whence these shadows falling?
Can it be so appalling
  For mortal man to die?

Stilled is life's fevered yearning!
  No more by grief oppressed,
The restless soul is turning
  To earth to make it blessed.
From every toil reposing,
The weary eyes are closing
  In death's unbroken rest.

No, 'tis not for the dying
  These drops of anguish flow—
Soon, in the still grave lying,
  They wake no more to wo;
But for the stricken-hearted,
From whom has now departed
  One life-ray here below.

Who tread the vacant places,
  So bright with joy before,
And miss the welcome faces
  That beamed on them of yore,
Who feel, in joy or pain,
Their hearts must yearn in vain
  For those who come no more.

This, this is keenest anguish,
  Which time cannot dispel,
In voiceless pain to languish,
  In tearless grief to dwell.
All that the heart can know
Of bitterness below,
  Is in that last farewell.

Lenox, Mass.

Digitized by Google

CURRENCY REFORM.

FIRST ARTICLE.

During a period of universal peace and of general health, and at the close of an abundant harvest, with no unusual interruptions of either foreign or domestic trade, but when the three great branches of industry appear to be substantially prosperous, the commercial towns of the United States are oppressed by the most extraordinary scarcity of money and confusion of exchanges which has occurred in the experience of the present generation. A large portion of our banks refuse to pay their bills in specie, and even the credit of our State Governments is deeply impaired. Our merchants, harassed by unexpected failures, and by the interruption of the usual facilities for the transaction of business, may almost be described in the words of the Roman conspirator: "*miseri, egentes, violentia atque crudelitate fœneratorum, plerique patria, sed omnes fama atque fortunis expertes.*" The proposition to force upon creditors the payment of their demands in depreciated bank paper, has been openly advocated in one of our large commercial cities, and appears to have received some countenance from its municipal incorporation.

We hold, in common with most disinterested persons, that the pecuniary embarrassments of the last five years are to be ascribed, to a very great extent, to the late and present Bank of the United States. The contraction of its circulation to the amount of nineteen millions of dollars by the old Bank in the course of a few months, and its subsequent expansion of twenty millions in the nine months between November, 1834, and August, 1835, were alone sufficient to produce the disasters of 1834 and 1837. The Deposite Act of 1836, originating with the Opposition, forced the overgrown funds of the government into unnatural channels, and broke up the well-regulated system of the Treasury Department.

Our present troubles, it is generally conceded, flow from the suspension of payments by the Bank of the United States in Pennsylvania. For the last eighteen months, that institution has exhibited the symptoms and resorted to the devices of a desperate debtor. By the profuse issue of its post notes and bonds, and its unwarrantable speculations in State stocks and cotton, it has disturbed exchanges, broken in upon the regular course of commerce and banking, and withdrawn from other State banks large quantities of specie. These measures on the part of the Bank, together with an unprincipled abuse of its inherited credit, sustained a favorable rate of exchanges beyond the

Digitized by Google

natural period; so that instead of the natural reaction, incidental to the regular course of trade, which, by diminishing bank issues, would have been less severely felt, some months earlier, and would have led to precautionary measures, a deceitful aspect of prosperity was given to business, and the accumulated evil was suddenly precipitated upon us with a violence by which banks and merchants, and even State Governments, of unquestionable solvency, have been involved in embarrassment and discredit.

Tracing these effects one step farther back, it will generally be conceded, that the excessive use of credit, in the shape of State Stocks, and the bonds, post-notes, and current bills of banks, has led to these disastrous results. By this excess of paper obligations in different forms, prices have been factitiously kept up; and an excess of foreign importations, produced by high prices at home and the depreciation of our staples abroad, has turned the balance of exchanges against us. Specie began to be demanded for exportation, and the foundation of our inflated paper fabric being thus withdrawn, it tottered and fell to the ground, and brought into immediate discredit every class of American securities.

By this disastrous experience of the effects of paper money, together with many former and similar instances, still fresh in the recollection of all, the community have been led to inquire whether by any modification of the system these evils may be avoided, or whether paper money must sooner or later be entirely abandoned, and the precious metals be substituted therefor as the common currency.

In the discussions incident to this inquiry much light has been thrown upon the nature of banking and currency; the mystery hitherto affected by moneyed corporations has been dissipated; and many principles, well known, indeed, to the few who had before examined the subject, have now, for the first time, through the medium of the press, been made clear to the mass of the community.

It is now pretty generally understood and conceded, that excessive issues of paper money, in any country, create a factitious advance of prices by which foreign commodities are drawn to that country in excess and beyond the value of its exported products; that an unfavorable balance thus necessarily arises which leads to the exportation of specie, as paper money will not circulate abroad; that the withdrawal of specie produces a rapid contraction by the banks, which is quickly followed by panics, failures, and the stoppage of specie payments. An excess of currency, like an excess of wheat or cotton, depreciates its relative value, so that every other article can be exchanged for an increased amount of money; or in other words, all prices are enhanced, and foreign commodities soon flow to the market where high prices are paid, while the rise in the prices of domestic products prevents their profitable exportation, and from both these causes, a balance rapidly accumulates against the country, which balance

Digitized by Google

must be paid in gold and silver. Products, in such a state of affairs, are not sent forward, against which bills of exchange can be drawn, and specie must be exported, or, in commercial language, exchange is against the country. To state the same phenomena in other words, when money is plenty, importations are large; when money becomes scarce, importations are diminished, and exportations revive. We must beg excuse for this repetition of what will seem to be commonplace propositions to minds accustomed to reflect on this subject, but which have but recently become familiar to the mass of the community.

It is an obvious inference from these principles, that the currency of a country is neither redundant nor deficient, but precisely at the right point, when the exports exactly balance the imports, for in that condition there is no stimulus to excessive importations, nor any drain of money to pay a foreign balance. If the currency rise beyond that amount, prices advance at home, and importations become excessive; if the currency fall below that point, prices are depreciated, and domestic products are exported until money enough be brought into the country to supply the deficiency. It is only in reference to foreign trade that the amount of currency in a nation becomes important. Home prices throughout the country being equally and proportionally affected by fluctuations in the amount of money, the change of prices at home is merely nominal. But with a foreign commerce a new relation exists; the increase of money at home, and the corresponding increase of prices, disturb the relative values of commodities between the two nations, and a balance quickly arises against the country that has issued a redundant currency.

But amid the fluctuations of trade, it is impossible to maintain an exact balance between the imports and exports of any country, aside from the fluctuations of the currency. Merchants engaged in their individual enterprises, without co-operation, and with no particular regard to the business of other merchants, soon disturb this equilibrium, and balances perpetually arise at short periods, which must be adjusted in money. If the money of the country were exclusively of gold and silver, but little inconvenience would arise in adjusting these balances. Suppose the balance to be in our favor to the extent of ten millions, in any one year; it would indicate that the currency of our country was deficient, or the currency of other countries redundant; and as soon as the balance was paid, prices would rise at home so far as to render importations to our market, by the foreign debtor, more expedient than the transmission of money, and the equilibrium would be restored.

Again, suppose the balance to be against us to the amount of ten millions; it would indicate a redundancy of currency at home or a depreciation abroad, by which prices would have become so much enhanced that it would be more expedient to send money abroad, than

Digitized by Google

domestic products, and gold and silver would be exported to adjust the balance; the exportation of a portion of the currency would enhance the value of the remainder, and thus prices would fall at home, and foreign importations be checked, while home products could be bought on such terms as to revive their exportation. The commercial operations of the last few years illustrate each of these positions. We have seen that a redundancy of currency has led to high prices at home, and to excessive importations; and on the contrary, a contraction of the currency has cut off foreign importations, and has depreciated all prices at home.

It is hardly necessary to remark, that accidental circumstances may occasion temporary exceptions to the operation of these principles; but they are only temporary. For example, notwithstanding the scarcity of money, there appears to have been an excess of importations during the year that has just ended. This has resulted from heavy consignments of goods to this country, which remain here unsold, and are held on foreign account; from sending abroad several millions of State stocks and bonds, and post-notes of the Bank of the United States and of other banks; and from the advances made by the Bank of the United States, through its southwestern agents, for the purchase of cotton; which several unwarrantable uses of credit have postponed the day of reckoning for a period, but at the expense of greatly enhancing its severity.

With a specie currency, therefore, a country would never suffer any very serious inconvenience from the fluctuations of foreign trade, for its money would not only be a currency at home, but also a commodity which could go abroad in payment of any debts it might contract; a quality paper money can never possess. There would still be, to a certain extent, revulsions in trade, and money would at times be comparatively plentiful, and at other times comparatively scarce; for speculation and extravagance would not be wholly checked by any kind of currency. But these evils would fall on those who had unadvisedly incurred improper risks, and would not, as at present, extend to every branch of society.

To render this more apparent, let us examine the effect of these fluctuating balances upon a paper currency. Let us renew the supposition before made, that the balance against us should be ten millions, at the end of a commercial year. We have seen that if our currency were gold and silver, that amount would forthwith be exported, and the remaining currency would neither be diminished beyond that amount, nor its value impaired, but on the contrary, it would be appreciated in value. But with our present paper currency, the effect is quite different. The ten millions of specie cannot be gathered from the mass of the circulation, but must be withdrawn from the vaults of our banks. The banks having, on an average, perhaps five dollars in circulation for every dollar of specie in their vaults, as soon as they

Digitized by Google

begin to perceive this drain, they commence the contraction of their circulation. Their curtailments will probably be five dollars, in paper, for every dollar of specie taken from their vaults. By the payment, therefore, of ten millions of dollars in specie, the currency at home is contracted to the amount of fifty millions. This occasions an inordinate and disproportionate contraction of prices; an evil always of the greatest magnitude, as it affects every person in the community, no matter of what his property may consist. But this is not all. The sudden contractions of the banks to so great an extent inevitably produce failures and alarms; public confidence, about which we have heard so much of late, is shaken; a run upon the banks ensues, and the universal suspension of specie payments follows. Is not this the history of the years 1836–7?

The evils we have depicted would be nearly as great if a balance of ten millions should accrue in our favor. The payment of the balance would bring into the country ten millions in specie. This would not go into the general circulation, for experience has proved that paper money and specie, of the same denomination, will no more mingle in circulation than fire and water. The specie would go into the vaults of the banks: and they would, thereupon, extend their issues perhaps five-fold; thus enlarging the gross amount of the currency to the extent of fifty millions. This would lead to a sudden enhancement of prices, to excessive importations, speculations, and extravagance, and, in a short time, to a revulsion in the balance of trade.

We have stated these principles, (for the repetition of which we again apologize to those who are familiar with the subject), with reference, hitherto, to State banks. But the evils would be nearly as great in the case of a National Bank, if that bank were allowed to supplant specie by its paper issues. State banks do not, indeed, always co-operate, nor are they generally in a position to foresee a revulsion in trade so quickly as the directors of a National Bank. A single board of directors, having the control of all the paper issues in the country, *might*, we readily concede, as a matter of theory, avoid many of these evils. But the admission is of no practical importance, for the States will certainly never consent to the entrusting of so great a power to any single institution, even if it were not liable to many other fatal objections.

But while we admit, in theory, that a National Bank, having the entire control of the paper money in a nation, *might* so restrict its issues as to keep the whole currency in a safe condition, we deny in point of fact, that this has ever been accomplished, although the experiment has been made under the most favorable circumstances and with the benefit of centuries of experience.

To justify this assertion, we shall rapidly review the history of paper money from its earliest use in the principal countries of Europe;

Digitized by Google

and we ask the reader of this sketch carefully to consider how far the following conclusions may be drawn therefrom:

I. That a paper currency has never, in any age or country, for any considerable period, formed a steady circulating medium equivalent to gold and silver:

II. That whenever either governments or individuals have had the power to issue paper money, it has been issued to excess, and that excess has caused its ruinous depreciation:

III. That ultimate security, without immediate convertibility into specie, is insufficient to preserve its standard value:

IV. That the theory of its convertibility into specie, by any other banks than those of mere deposite, is fallacious and impossible, so long as the amount of issues is not confined within very narrow limits:

V. That, contrary to the popular impressions on this subject, the wants of the community, when deprived of a specie currency, and the authority of legislation, have, in many instances, kept a limited amount of paper money in circulation, without the slightest security for its immediate or ultimate redemption:

VI. That paper and specie of the same denomination cannot be made to circulate together, but the former will always exclude the latter:

VII. That in this country, from the nature of our Federal and State Governments, it is nearly impracticable, by direct legislation, to limit paper issues; and hence it is impossible to have an entire paper currency which will be permanent:

VIII. That it is expedient, by every legitimate influence of the General Government, by the force of public opinion, and by State legislation, to restrict the issues of paper money to bills of a large denomination, in order to limit their amount, and to substitute gold and silver, as a currency, for all the smaller transactions of business:*

---

* Note.—It is well known that among the advocates of a radical reform of the currency in this country a certain difference of opinion exists in regard to the *mode* in which such reform should be carried into effect. The views of the one portion look to *restrictive* measures, with especial reference to the legal prohibition of all paper money under a large denomination. The views of the other look in the opposite direction, to *the removal of all restrictions*, confident that the pure principle of freedom would work out a better ultimate result than can ever be attained by any of the artificial contrivances of legislation. The Democratic Review has always avowed itself of the latter school of opinion. We believe that the best and shortest mode of reaching the consummation of a specie currency, would be by removing all restrictions upon the issue of paper, whether by voluntary associations or by individuals, legislative charters being done away with as a matter of course—and the Federal Government standing faithfully by its well known specie policy, an example which will, we trust, ere long be followed by the State Governments. This reform affords, therefore, a common ground on which the two opposing opinions on the subject of currency may unite—for if paper money do in reality possess any of the advantages over a specie currency asserted by its advocates, it would be sure to demonstrate its superiority

Digitized by Google

IX. That the "*credit system*" ought never to be extended to certain classes of transactions:

X. That gold and silver, in abundance, may easily be obtained to supply the place of small bills:

XI. And that the plan of detaching the Treasury Department from banks, and of using nothing but gold and silver in the business of the Federal Government, is an important and suitable measure to check, so far as its operation will go, the excess of paper currency.

A full discussion of these propositions would exceed the proper limits of this Article; but our remarks may direct the inquiries of those who are disposed to give the subject a more detailed examination.

Banks of deposite do not come necessarily into this examination, but it may not be irrelevant briefly to notice them.

The earliest bank in Europe was the Bank of Venice, which is said by Mr. McCulloch, without his usual accuracy, to have been founded in 1171.* It doubtless grew out of the necessities of Doge Michael II., occasioned by his wars with the Eastern and Western Emperors in that year; but the precise date of its foundation is uncertain.† There are some indications, that at an early period it issued paper money; but it was chiefly a mere bank of deposite for specie; the transfers being made on the books of the bank.‡ The invasion of the French, in 1797, put an end to its credit by destroying the government which guarantied its payments.

The Bank of Amsterdam was founded in 1609, and was also a bank of deposite. It issued no circulating notes, but was supposed to have always, in its chests, the full amount of gold and silver for which its certificates were issued. During the invasion of Holland by the French in 1790, it was discovered that its deposites had been secretly loaned, to the amount of more than ten millions of florins, to the city

---

in a state of things in which the intelligence, the business, and the experience of the community would be left perfectly free and untrammelled to choose between them.

But at the same time, so long as a great system *actually exists* in the country, organized by Law, we are not disposed to omit those compulsory restrictions by Law which seem to hold out the only present prospect of practical improvement in the currency, while urging an abstract theory, which we in truth greatly prefer, though there seems to be but little hope, for an indefinite number of years, of impressing the same convictions upon the public mind, already so strongly set in a different direction. For a more full explanation of the views and position of the Democratic Review upon this point—in relation to which it has sometimes been charged with inconsistency—we beg the reader to refer to the Number for February, 1839, page 237, "Free Banking;" and to the conclusion of an article entitled "New York City *vs.* New York State," December, 1839, page 516.

* McCulloch's Commercial Dictionary, article, "Venice."

† Sanuto, Vitæ Ducum Venetorum; apud Muratori, Rer. Ital. Script. tom. xxii, col. 502.

‡ McPherson's Annals of Commerce, vol. i, p. 341. Langier, Histoire de Venice, vol. v, p. 532.

Digitized by Google

of Amsterdam, the States of Holland, and the India Company; in consequence of which its certificates fell below par; until June, 1802, when the Batavian Republic decreed a tax to replace the deficit, and the certificates of the bank soon rose to a small premium.*

In 1619, the Bank of Hamburg was established on the model of that of Amsterdam; but having been always a bank of mere deposite, it throws no light upon our present inquiries. The publicity with which its affairs are conducted, and the frequent changes in its board of direction, have secured its prosperity and the honesty of its transactions. Its funds were seized, by order of Marshal Davoust, when he entered that city in November, 1813.

According to Storch, the Bank of St. George, at Genoa, was the earliest bank of circulation in Europe; but Sismondi classes this bank with those of Amsterdam and Hamburgh, as a bank of deposite.† It was established in 1407; or rather, a commercial association, which had long before that time existed, was then formed into a deposite bank. Its operations throw no light on our present inquiries. In 1746, it was pillaged by the Austrians; and its treasures were again seized by the French, in 1800. The city of Genoa has pledged some warehouses and a portion of its revenue to sustain its credit, but they are inadequate to the purpose.

These banks, together with those of Rotterdam, and Nuremburgh, which are formed on the same model, may be passed without more particular notice.

M. Storch says that a paper currency was introduced into China and Persia near the end of the thirteenth century, but on account of the great derangement it produced in the affairs of those countries, it was soon abolished.‡

* A very good account of the Bank of Amsterdam may be found in Sir James Steuart's Political Economy, lib. iv, part ii, chap. 37.—See also Henry Thornton's Inquiry, pp. 64, 309. Hassel's Statistical Account of the Kingdom of Holland, p. 63. (Weimar, 1809.) Storch, Cours D'Economie Politique, vol. iv, p. 96. (Edit. Paris, 1823.) Mr. McCulloch derives all his information from Storch, in regard to the Continental Banks, and translates whole pages into his Commercial Dictionary, and his notes to Adam Smith's Wealth of Nations. In the former work it is erroneously said that the Bank of Amsterdam was established in 1659. Dict. Com. Foreign Banks. (Edit. Lond., 1835.) The author appears not to have known that the funds of the bank were replaced in 1802, as stated by Hassel, but intimates that the bank ceased to exist in 1796. Dict. Com., p. 31, article, "Amsterdam." On the other hand, the editors of the Encyclopædia Americana (article, "Bank," vol. i,) assert, with more inexcusable inaccuracy, that "During the whole period since the establishment of the bank, no peculation, or breach of trust, on the part of the Directors, has ever happened."

† Storch, Cours D'Econ. Pol. tom. iv, pp. 107, 184. Sismondi, Nouveaux Principes D'Econ. Polit., vol. ii. p. 112. (Edit. Paris, 1827.) Ganilh, p. 333, (N. Y. Ed., trs. by Boileau, 1812,) says he has not been able to discover whether this bank issued paper money or not.

‡ Storch, Cours D'Econ. Pol: vol. iv, p. 107. We have not access to the authorities which M. Storch cites.

Digitized by Google

Turning our attention to the northern portion of Europe, we find that Catharine II. commenced a very thorough experiment of the use of a paper currency. In 1768, she established a bank of assignats. The bills first issued amounted to forty millions of rubles, and were payable in copper coin on demand. As the amount was small, compared with the wants of the country, and was not enlarged for the full period of eighteen years, these assignats, though really inconvertible into specie, remained at par until 1774. The necessity of a circulating medium, their being received in payment of public dues, and the moderate amount issued, sustained their value during all this period. The invention appeared to operate so successfully, and was at the same time so cheap and easy of execution, that in 1786, the Empress was persuaded by the nobility and gentry to establish a bank of loans, for their especial accommodation. The issues of this bank soon amounted to one hundred millions of rubles.* The faith of the government was pledged for their redemption, and they were nominally convertible into copper money at the bank. The notes were loaned on the mortgage of real estate—on *serfs*, at forty rubles each—and on other securities. Within two years after the establishment of this bank, its assignats fell rapidly, and in 1795, they were 31 1-2 pr. ct. below par. Various measures were adopted to preserve their par value, among which was a prohibition to export or melt down the copper coin in which they were redeemable; but as the amount of issues continued to increase, the paper assignat depreciated more and more in value. In 1796, at the date of the death of the Empress, the issues amounted to one hundred and fifty-seven millions of rubles; and in 1810, they had reached the enormous amount of 577,000,000 of rubles. The depreciation kept pace with the excess of their issues, and in 1811, they were 75 pr. ct. below par. The ruinous consequences of this state of things attracted the attention of the government, whose income suffered a depreciation requiring the most rigid economy. In February, 1810, the government issued a proclamation, declaring the assignats to be a sacred and inviolable debt, for the repayment of which the whole wealth and resources of the Empire were solemnly pledged; that the amount should not be any farther enlarged; and that every practicable measure should be adopted to diminish it. A portion of the public domain was offered in exchange for the paper assignats; a loan office also was established, at which they were received at fifty per cent. discount; several millions of rubles, thus collected by the government, were burned, and it continued to collect and retain as large an amount as the expenses of the government, aided by a considerable increase of duties, would permit.† M. Storch draws an appalling picture of

* Nearly £15,000,000, estimating the silver ruble at 3*s.* 2*d.* sterling; an amount equal to the circulation of the Bank of England at that date.

† Storch, Cours D'Econ. Polit. vol. iv., p. 196, et seqq.

Digitized by Google

the losses, embarrassments, and distress occasioned by this depreciated paper currency. The vigorous measures of the government, however, kept it from further depreciation; and for several years one ruble in specie was worth about four rubles in paper.* In 1818 the Commercial Bank of Russia was established. Its capital consists of 30,000,000 bank-note rubles (a little less than £1,400,000;) it is a bank of discount and of deposite; and has branches at Archangel, Moscow, Odessa, Riga, &c.† Although the regulations of this bank are very excellent, the greatest inconvenience still exists from the immense amount of the old, depreciated paper money in circulation. The government has been obliged to have commercial accounts kept in the denomination of the paper ruble; the ratio of the value of a paper ruble to that of a silver one is as 1 to 3 .6; and the old notes are so much disfigured and torn that the counting of them is a profession at Petersburgh for a class of persons called *Artelschicks*.‡

The history of the paper currency in Sweden is equally instructive; but it is unnecessary to be equally particular in describing it. The Bank of Stockholm was founded in 1657. Soon after its establishment, its issues reached the enormous amount of 48,000,000 rubles. The depreciation in their value kept pace with the excess of their issues, and at one time they were 96 pr. ct. below par. The confusion and distress occasioned by this state of affairs, induced Gustavus III. soon after his accession to the throne, in 1772, to adopt vigorous measures to restore the currency. He borrowed large sums of money in Holland to redeem the notes, and ordered that no new emissions should be made; but shortly afterward, in his war with Russia, he abandoned those remedial measures, and the currency returned to its former miserable condition. For nearly thirty years last past, no coins have been in circulation, in Stockholm, excepting copper; the ordinary paper money is nearly fifty per cent. below the bank par, and all commercial operations are much embarrassed by the miserable condition of the currency.§

Denmark has also had its share of the disastrous effects of a paper currency. The Bank of Copenhagen was founded in 1736; and in 1745, within nine years after its foundation, it suspended specie payments by the authority of the government. But its issues were constantly augmented; the public suffered, but the stockholders gained. In 1773, the King bought up all the shares; its emissions were then

* The Assignation Bank became an Imperial Bank in 1786, at the time that the Loan Bank for the nobility was made a part of the plan of a National Currency. In 1797, Paul established the Aid Bank, for the relief of the nobility; the charter of which may be seen in Oddy on Commerce, p. 190.

† Kelly's Cambist. vol. i, p. 103.

‡ Coxe's Travels in Russia, vol. iii, p. 315.

§ Coxe's Travels, vol. iv, pp. 267—275. Storch, Cours D'Econ. Pol. vol. iv, p. 191.

Digitized by Google

twenty-fold greater than the specie in its vaults, and were still farther increased fifty per cent. All gold and silver coins disappeared from the circulation, and bills were issued, for the purposes of change, of as low a denomination as twenty-five cents. About the year 1791, with a view to alleviate this evil, a new bank was established, with a considerable specie capital, and independent of the Royal Bank. It commenced with promises of prompt redemption in specie and of limiting its issues to about twice the amount of specie in its vaults; but, with the usual good faith of similar institutions, it soon suspended cash payments, and forced upon the nation its currency to such excess, that in 1804 the bills of the new bank were at a discount of twenty-five per cent., and those of the Royal Bank were forty-five per cent. below par. By a continuation of the same system, in October, 1813, eighteen skillings in paper could be bought for one in silver! During that year a new monetary system was adopted, by which the money of the new bank was raised to about fifty per cent. of its nominal value; but bank money continues to be used in most commercial transactions, and always at a very heavy discount.*

The Bank of Vienna, established by the Empress Maria Theresa during the seven years' war, ran through a similar career. Bills were at first issued to the amount of only 12,000,000 florins; and being receivable for public dues, and moderate in their amount, they remained at par for a considerable period. The experiment was so successful and tempting that farther emissions soon succeeded, and were attended by the certain result of depreciation. The precious metals disappeared from the circulation, and in 1797 the bank was obliged to suspend specie payments. The Empress ordered that paper money should be received in payment of all debts; but arbitrary power cannot control natural laws, and in 1810 one florin in silver would exchange for thirteen in paper. The government found itself involved in such troubles, that in 1811 it put a stop to all farther issues of the bank, and the old bills were declared redeemable in new government paper, at one-fifth of their nominal value. In this way four-fifths of the circulation was withdrawn, to the loss of that amount by the community; and the paper florin rose so that eight were equal to one of silver.†

The banks at Rome, Turin, and Naples, have exemplified the same principles, and their money has seldom been at a less discount than twenty-five per cent.; but the political revolutions in those countries render any deductions from their history of little value.

Of all the continental states, Prussia alone has maintained its integrity in this particular, and effectually guarded its subjects from

---

* Sismondi, Nouveaux Prin. D'Econ. Pol. vol. ii, p. 114. Storch, Cours D'Econ. Polit. vol. iv. p. 192.

† Storch, sup. cit. p. 185. Sismondi, vol. ii, p. 113.

Digitized by Google

the ruinous effects of a depreciated currency. The bills of the bank of Berlin, from the period of its foundation in 1765, by the moderation of its issues and the integrity of its directors, continued at par until the capture of that city by the French, in 1806. Its suspension at that time impaired its credit for the ten years next following, but no longer. The Prussian government, in its wars with France in two instances issued paper money, which was for a time much depreciated; but on the restoration of peace the prompt redemption of these issues restored them to their full nominal value.*

The *vales* of Spain, issued during her American wars, preceding 1781, had depreciated, in 1800, seventy-five per cent.; by the treaty of peace with England, about 1802, they partially retrieved their credit, but in 1805 were at a discount of fifty-eight per cent.†

Let the reader reflect on the effects we have experienced in this country from a depreciation of ten or twenty per cent. on bank bills, and he will appreciate, in some measure, the losses and distress which the continental nations have endured from a *paper currency*. We shall next very rapidly examine the effects of the use of a paper currency in the more enlightened, wealthy, and commercial nations, France and England.

It is true that our own practice and legislation have more closely resembled those of the countries we have already examined. The paper issues of the United States have been as indiscreet and excessive as those of Russia or Sweden; but happily, our commercial relations with England, and the activity, industry, and resources of our country have enabled us, unlike those countries, to rise above the immense losses inflicted by this pernicious system.

Of Law's notorious paper money operations, we have heretofore given a full historical outline.‡ But that account did not imbody all the particulars to which it is necessary to attend in the pursuit of the present inquiry. We shall therefore be excusable for adding a few facts, derived from other sources.

Louis XIV., at the time of his death, was in debt to the enormous amount of £142,000,000. To reduce this debt, the ministry, by one of those frauds which, in a different shape, are even in our time and in our country resorted to, ordered a recoinage of the *louis d'or*. The coin in circulation was ordered back to the mint, where it was received at sixteen livres, and, a new head having been stamped upon it, was reissued at twenty livres. By this edict (passed the 2d January, 1716,) the government extorted from the people one-third part of all the specie in circulation. The holders of the old coin were naturally reluctant to make this sacrifice; it was smuggled into Holland in large quantities, recoined there, and sent back again. To relieve

* Storch, vol. iv, 185. † Ib. p. 180.

‡ See Democratic Review for March, 1839, p. 324.

Digitized by Google

the Prince Regent from the difficulties attending the execution of this extortionary edict, Law laid before him the project of his bank. He proposed to buy up the old coin at a higher price than the mint allowed, and to give in exchange the notes of his bank, payable in the new coin. It will readily be seen that this was a very profitable operation for the bank, while the holders of the prohibited coin saved something by the exchange, so long as their bank notes would pass at par. It was one of the merits of Law's paper money, as it is of modern bank bills, that by a kind of legerdemain, it concealed the real loss to the holder beneath an apparent advantage.

The bank was astonishingly successful for three years, and its notes were one per cent. above par; when the Regent, envying this prosperity in the hands of a subject, bought up all the shares and took the bank into his own hands. The notes were then made payable in *silver coin*, not specifying, as Law had done, the *kind* of coin. It is but justice to say, that Law from this moment expressed his conviction that the bank would end in ruin. But his remonstrances and predictions were unheeded. In 1719–20 the bank had a prodigious credit. *Two thousand six hundred and ninety-six millions of livres* had been manufactured and put in circulation. Commerce, manufactures, and agriculture were in the most flourishing condition; wealth and luxury were diffused throughout the nation as if by magic; and it was asserted, (as it has been in this country, upon equally sure grounds, under similar circumstances,) that the whole national capital had been increased four-fold! "Nobody minded gold or silver," says Steuart, "any more than if the denomination of their paper had no relation to those metals."

This was the state of affairs on the 21st of May, 1720. The Regent was naturally led to believe that the value of money depended on the royal fiat; and as the amount of paper in the country was vastly disproportionate to the amount of specie in the bank, it was solemnly debated in council, whether the coin should all be *doubled in value by order of the government*, or the paper be reduced one-half. The latter course was judged to be most expedient, and was announced and decreed by an *arrêt* of the council, on the day last mentioned. The *arrêt* was no sooner promulgated than the whole bubble exploded. "The day following," says the author last quoted, "a man might have starved with a hundred millions of paper in his pocket." Law, who had before been regarded almost as divine—(have we not some analogous example in this country?)—suddenly became the execration of France, was banished, and died in poverty. In the October following, all bank notes were suppressed.* "The bubble no sooner burst," says the author last quoted, "than the whole nation was

* Sir James Steuart's Polit. Economy, vol. ii, p. 235, London ed. 1767. This work contains a full history of Law's Bank and the Mississippi scheme.

Digitized by Google

thrown into astonishment and consternation. Nobody could conceive from whence the credit had sprung; what had created such mountains of wealth in so short a time; and by what witchcraft and fascination it had been made to disappear in an instant, in the short period of one day."

"Volumes," he continues, "have been since written in France, by men of speculation, in order to prove that it was *a want of confidence in the public*, and not the want of a proper security for the paper, which occasioned this downfall."

The same evil, it will be remembered, has afflicted our banking system. Nothing but "*a want of confidence*," say the advocates of credit, produced our commercial difficulties in 1837.

By this terrible lesson France was delivered from the evils of a paper currency for more than a century and a half. The subsequent history of her banks may be given in a very few words.

In 1776 the exertions of Mr. Panchaud established a bank in Paris, for the discounting of commercial paper. But this bank, like all others of which we have any account, departed, at an early period, from the avowed objects of its formation. It made advances to the government, and was soon closely connected with all its financial operations. Its issues became excessive, and its notes in 1787, were depreciated six per cent. The government soon absorbed all its capital and loans, and it ceased, in fact, to have a separate existence. Still farther issues of paper money were needed, and a new species of obligations called "assignats" were put in circulation in 1789. They were based upon the lands of the clergy and emigrants which had been confiscated by the government. They originally purported to secure to the holder a certain portion of the public domain. Their appearance in those exciting times infected the nation with a new mania: the absolute want of a currency favored their introduction, and as only four hundred millions of francs were issued during the first year, they suffered no depreciation from excess. They illustrated, at this period, the theory that if a paper currency *be limited to a small amount*, and be receivable for public dues, it will circulate at par, without reference to its convertibility into specie or the security of its ultimate redemption. In fact the assignat contained no specific promise to pay, and was finally abbreviated to these brief terms: "*Domaines nationaux: assignat de* 100 *francs.*" Yet in this form they continued to pass current, until the excess of their issues destroyed them. In September, 1796, the amount of issues had reached 45,599,000,000 of francs! The system had then reached its limit and exploded. An assignat of one hundred francs became worth only three sous and six deniers in specie! At the close of this year a forced loan of 600,000,000 of francs was laid by the government, toward which *one hundred* francs in assignats were received for *one* franc. On this basis, a new paper currency, called "mandats," was is-

Digitized by Google

sued by the government, to the amount of 2,400,000,000 of francs. This paper money soon ran down sixty-four per cent., and eventually ninety-nine and a half per cent., and thus became nearly valueless.*

Thus we see that neither public credit nor the pledge of national domains can secure a paper currency from becoming utterly worthless if it be not absolutely limited in its amount.

But the necessities of trade soon led to other and more legitimate banking arrangements. In 1798, several private bankers, some merchants and manufacturers, and some speculators, established banking houses; but competition and the want of capital restrained their operations. In 1800, the Bank of France was engrafted upon one of these private establishments; and in April, 1803, all the other private banks were consolidated in the Bank of France. This bank was regulated by the most cautious rules, and they have since been in general strictly observed. It discounted only commercial paper, having not more than sixty days to run. Its customers had their names entered upon a list which was frequently revised, and those who had become suspected in credit were stricken off. Its issues were moderate and of large denominations only.

In 1805, during the alliance of the Austrians and Russians against Bonaparte, the public alarm caused so great a run upon the bank, that it suspended specie payments; but during the year next following, the battle of Austerlitz and the capitulation of Presburgh having restored public confidence, the bank resumed specie payments.

During the invasion of France by the allied powers in 1814, a run upon the bank drove it, a second time, to a partial suspension. In January of that year the bank only paid to the extent of 500,000 francs a day, and not more than 1000 francs to one person; but in the following month of February it resumed complete payments.

The bills of the Bank of France have never had an extensive circulation in the interior of the country. They are not issued of a less denomination than 500 francs ($94); and the abundance of specie in the interior may be in part ascribed to that circumstance, and in part to the lessons experience has taught the French people. In 1823, according to M. Say, the bills of the bank in circulation were 169,000,000 of francs, and the specie in its vaults amounted to 208,000,000 of francs. Its deposites were 60,000,000 of francs, and it thus had 148,000,000 of francs to redeem its bills.† But the Bank of France, with the lessons of prudence so strongly before it, has not always escaped the inevitable tendency to excessive issues, inherent in all paper mo-

* Storch, vol. iv, pp. 159–161.

† Ganilh, 356, et seq. Storch, vol. iv, p. 170, and the note of J. B. Say. "The bank is in the palace built by Louis XIV. for the Count of Toulouse. The treasure is kept in boxes or casks, in very strong, arched vaults, under ground. Each vault has an opening or mouth of massive masonry; and the specie is raised or lowered by pulleys."—*Ib.*

Digitized by Google

ney systems. In 1818 its issues became excessive, and in the current of deceitful prosperity occasioned by its own imprudence, it was borne along to the very verge of bankruptcy. In November of that year, its specie was reduced to 34,000,000 of francs; and in a country less richly supplied with gold and silver than France—that is to say, in any other country in Europe—its suspension would have been inevitable. The governors of the bank adopted the most vigorous measures to relieve themselves from this perilous position. They largely curtailed their discounts, and refused all paper which had more than forty-five days to run. A calamitous revulsion in trade was the consequence of these measures; many heavy mercantile houses failed; and loud imprecations were heaped upon the bank by merchants who had abundance of the best business paper, with sixty days to mature, but were obliged to suspend, by the rigid rule which the bank adopted. But these severe measures were effectual. Between November, 1818, and March, 1819, the specie in the bank was increased from 34,000,000 of francs, as above stated, to 100,000,000. This great increase was chiefly derived from the various small channels of circulation throughout the kingdom.—It furnishes an instructive example of the value of a large specie circulation in a community, to the exclusion of small bills.*

But the most instructive example in the history of paper money remains to be considered, the example of Great Britain. The Bank of England has now been in operation nearly a century and a half. Established in the commercial capital and great money market of the world; in a nation surpassing all others in wealth, commerce, intelligence, and the stability of its laws; sustained by the legislation and credit of the government, and closely connected with its vital interests; established, too, at a period when the experience of continental states, during nearly a century, had thrown much light upon the principles of banking; and having passed, during its existence, through every conceivable condition of prosperity, suspension, and adversity, of peace and of war—we may reasonably conclude that if a system of banking and paper money can be brought, by wisdom and experiment, to complete perfection, we shall find an example of that perfection in the Bank of England.

This bank was established in 1694, under the auspices of William III., the Stadtholder of Holland. He had no doubt brought with him to England a conviction of the advantages his own country had derived from the Banks of Amsterdam and Hamburgh. But the principles upon which it was founded were wholly unlike those of the deposite banks we have just named. It began by lending to the government the money which the shares of its capital stock produced. Mark the close and almost inevitable connexion between this system of bank-

* Report of the Lords' Committee on the resumption of cash payments, p. 103.

Digitized by Google

ing and a national debt: indeed, it may be safely said, that the former cannot long exist without the latter. To the Bank of England the world is indebted for the earliest developement of "the great credit system," as it is popularly called; a system which is based upon the principle, that promises to pay, by a government or bank, may be made to supplant all actual money—on the strength of a fictitious credit, conferred by legislation and extorted from the necessities of the people—without any means, intention, or even possibility of redeeming those promises according to their tenor. This is the theory of the governmental and bank debt in England—openly avowed in the case of the former, and equally true, in the case of the latter; and this is the policy, both with regard to governments and banks, which a numerous party are endeavoring to establish in the United States.

To give a complete history of the Bank of England; to show its effective agency in heaping up the national debt; the aid it has furnished to monopolies and to the accumulation of wealth by the aristocracy, and the oppression it has exercised upon the poor; to trace the numerous abuses of its power complained of, even in England—a power which holds the government in check; to point out its interference with free trade, its support of the corn-laws, and its connexion with all the numberless restrictions which oppress every branch of industry; to bring down the detail of its operations to the present day, when it has usurped and exerts a despotic control over the currency and banks of the United States, and the very revenue of our government so long as that revenue is paper money—would require the space of a volume. The acts of Parliament which have been passed in relation to the bank are so numerous, that according to the declaration of one of its secretaries, their "mere titles, alone, extend to about two hundred pages."*

We shall only notice, very briefly, a few events in its history,† from which our readers can infer, whether, with all this long experience and immense machinery, the paper currency system of England is worthy of adoption in the United States.

Let us first notice the bribes paid at different periods by the Bank to the government, for the renewal of its charter.

In 1708, the Bank advanced £400,000 for the public service, without interest, to pay for the renewal of its charter. (7 Anne, c. 7.)

In 1742, its charter was again renewed, on the advance to government of £1,600,000, without interest. (15 Geo. II, c. 13.)

In 1764, on the payment of £110,000, its charter was again renewed for twenty-two years. (4 Geo. III. c. 25.)

---

* Secret committee on the bank charter. Appendix 6, cited in Pebrer on the Capital of the British Empire, p. 192, Lond., 1833.

† For a more full view of the history of the Bank of England, in a political as well as financial and commercial aspect, see the Democratic Review for November, 1837, article, "The Credit System."

Digitized by Google

In 1781, its charter was again continued for thirty-two years, on a loan to the government of £3,000,000, at three per cent. (21 Geo. III, c. 60.)

In 1800, the charter was renewed for thirty-two years, on a loan of £3,000,000, for six years, without interest. The Bank being then in a state of suspension, and at the mercy of Parliament in some measure, the interest on this sum was remitted for a long period after the six years had expired. (40 Geo. III, c. 28.)

In 1833, the charter was again renewed, but certain infractions of its monopoly were effected, which the Bank resented by refusing to offer any bonus. It may be cancelled, upon a year's notice, after 1845; but if not so cancelled, will continue until a year's notice by Parliament be given, after 1855.

The total amount thus advanced to the government by these successive bids for the continuance of its monopoly, is £8,110,000! We thus see where the United States Bank in Pennsylvania, and many of our State banks have learned some of their financial lessons. This, however, is but a small item in the corrupt transactions between the Bank of England and the government of that country. Its original capital of £1,200,000 was loaned to the king, at the enormous rate of eight per cent. interest. At every possible opportunity, during the century and a half which has since transpired, it has taken advantage of the wants of the government and the corruption of Parliament, to make advances on equally iniquitous terms. One of the most notorious of these instances occurred while the Exchequer was under the administration of Chancellor Vansittart, now Lord Bexley, in 1816. The Bank then advanced to the government three millions, at three per cent. interest. The weak Chancellor advised the crown, in consideration of this extreme generosity, to permit the Bank to add these three millions to its pre-existing capital, although at that moment the government had a disposable balance, lying in the vaults of the Bank, of £10,807,000, without interest!*

Between 1793 and 1815, the loans thus made amounted, in the aggregate, to more than *six hundred and eighteen millions* of pounds sterling. The profits derived by the Bank from this corrupt intercourse, may, in part, be appreciated from the fact, that since 1790 it has distributed among its proprietors £51,546,666! By the corrupt negotiation with Vansittart alone the Bank realized not less than £6,600,000! Whence have these profits been derived, and who has paid them? They have been extorted from the toils of the wretched laborer by the legitimate operation of the "credit system." During the very year when the Vansittart loan was effected, there were *two thousand seven hundred* bankruptcies in Great Britain.

But has the Bank of England maintained a permanent currency,

* Pebrer on the Resources of the British Empire, p. 194.

Digitized by Google

equivalent to gold and silver? Has it kept commerce secure from those revulsions which, it is said, will become so ruinous by the exclusion of an elastic paper currency?

For the first sixteen years after the establishment of the Bank, notwithstanding that Parliament made strong efforts to sustain it, its operations were disastrous; its notes fell to a discount of twenty per cent.; and finally, in 1696, it suspended specie payments.*

In 1745, during the attempts of the Pretender, it again, in fact, suspended, by resorting to the pitiful artifice of paying out sixpences to gain time.†

During Lord Gordon's riot in 1780, the Bank was again in great danger, both from the alarm of the public and the violence of the rioters. Since that period a strong military force has always been kept within its walls.

We come now to the era of its great suspension for the period of twenty-three years, commencing in 1797, and ending in May, 1821. To an unprejudiced mind the statement of this fact alone, in the history of the Bank, would be conclusive evidence of the false principles inherent in the system. In times of prosperity it appears to operate admirably, but the first blow of adversity strikes the whole baseless fabric to the ground.

A short time previous to this suspension of the Bank, there were about two hundred and fifty country banks in England; and of these not less than *eighty* became insolvent before the catastrophe of their great mistress. So soon, however, as they found that the Bank of England was allowed by Parliament to violate the integrity of contracts with impunity, the country banks again began to start up, and in 1813 their number amounted to more than *nine hundred*. Of this number no less than *two hundred and forty* again failed in less than the three years next succeeding; ninety-two of which were wound up under commissions of bankruptcy. Our American banking system has been declared to be the worst the world has ever known; but it has been unjustly extolled to that "bad eminence;" for the paper currency of England, under the protection of its "Great Regulator," that object of homage to the devout worshippers of the "credit system," has suffered revulsions and inflicted injuries, compared with which, the evils under which we suffer are but trifles.

But passing over these ruinous disasters of the country banks, a full detail of which would fill a volume, let us consider the issues of the Bank of England. At the period of its suspension a dangerous foreign war aroused a patriotic sentiment at home, and, at the instigation of the government and the proprietors of the Bank, public meetings were held, and combinations formed, to sustain the current circulation of

* Smith's Wealth of Nations, McCulloch's ed., vol. ii, p. 73. (London ed. 1828.) Ganilh, p. 339.

† Smith's Wealth of Nations, p. 78.—Storch, vol. iv, p. 114.

Digitized by Google

the Bank, notwithstanding its violation of its good faith. A committee of Parliament, in the same manner with certain committees in more modern times, reported that the Bank was abundantly solvent; nothing was wanting but "public confidence," and that for a time was manufactured. The government took the notes of the Bank in all its transactions; and its issues, for the first three years, were confined within reasonable limits. In the year of the suspension, they amounted to £11,114,120, a sum at that time too large for the ability of its Bank to redeem. But the *legal* privilege conferred on the Bank, of making contracts and not fulfilling them, was too precious a boon to remain long unemployed. It was so eagerly taken advantage of, that in 1809 the circulation of the Bank had nearly doubled, and amounted to £21,027,470! and this, too, in face of the fact that in 1801 its bills were at not less than *eight* per cent. discount. In 1812, their discount was twenty and one-half per cent.—worse than Mississippi money in New York at this date. But they were destined to still farther depreciation, and in 1814 fell *twenty-five and one-eighth* per cent. below par. Contemplate the currency of a nation, amounting to more than twenty-eight millions of pounds sterling, as it did in that year, depreciated more than one-fourth of its nominal value. Yet the Bank continued to enlarge its issues, and in 1817 they reached the amount of £29,543,780! This, be it remembered, is a picture of a National Bank, in a commercial nation, with extraordinary privileges and immunities, and sustained by the whole credit and resources of the British Empire. Can history furnish a more instructive example in determining the merits of a paper currency? Is it possible for either our Federal Government or the Governments of the States, to found a paper money bank on firmer foundations than the Bank of England, or to fortify it with more powerful immunities and resources? For more than twenty-three years, terminating within recent recollection, England suffered beneath the infliction of an irredeemable, depreciated paper currency, the very curse our country is seeking to relieve itself from; and yet we are advised to resort to the same policy which brought that infliction upon our English neighbors.

But amid this ruinous state of affairs it was contended by the "credit system" partisans in England, as it has lately been in this country, that paper money had not *depreciated*, but gold and silver had become *enhanced*; and in 1810, a committee of Parliament was appointed to examine this grave theory. A majority of that committee were men of sense, and after taking examinations of the most eminent bankers and merchants in Europe, produced the celebrated "Bullion Report," as it is called, in which the depreciation of the Bank of England notes was ascribed to the true causes.* The majority of the House of Commons had the dishonesty or stolidity to reject this report; and on

* This report was drawn up by Mr. Francis Horner.

Digitized by Google

motion of Mr. Vansittart, the Chancellor of the Exchequer, whose sagacity in money matters we have before illustrated, the House resolved, in face of the fact that Bank notes were at an open discount of *ten* per cent., "that the promissory notes of the Bank of England had hitherto been, and were *at that time*, held to be, in the public estimation, equivalent to the legal coin of the realm." The Parliament even went farther in their effort to restrain the laws of trade by the *brutum fulmen* of their theoretical omnipotence; and on the motion of Lord Stanhope, the House of Lords passed an act that the bills of the bank should be received, in all payments, at their nominal rates; which act also passed the House of Commons in July, 1810.* But the bills continued to decline until they reached the maximum of their depreciation in 1814.

The stoppage of specie payments by more than two hundred and fifty country banks in the two years immediately following 1814, by diminishing the paper circulation of the kingdom, raised the value of Bank of England notes, and led to the adoption of Mr. Peel's act, in 1819, by which the Bank was required to resume in 1823. The favorable turn of affairs resulting from the peace of Amiens, in 1821, induced the Bank to anticipate the time fixed in Mr. Peel's bill, and to resume on the first of May in that year. During the suspension the country banks had increased to the number of nine hundred. The destruction of their paper in 1815 and 1816 gave rise (as was stated in Parliament, and admitted by all parties,) "to a universality of wretchedness and misery which had never been equalled, except, perhaps, by the breaking up of the Mississippi scheme in France."† This, be it remembered, occurred while the paper currency was under the influence and control of a National Bank. At the resumption of specie payments by the Bank of England, no restrictions were placed upon the issues of the country banks, and they eagerly availed themselves of the restoration of public confidence, to renew their abuse of that confidence. They forced their paper into such general circulation, that in 1825 it had been increased nearly fifty per cent. beyond the amount in 1823. The natural consequences followed; and a more terrible and appalling revulsion occurred in 1825, than that of either 1793 or 1816. Seventy country banks were swept off in less than six weeks; and to supply the deficiency occasioned by the withdrawal of their bills, more than nine millions of pounds sterling of the Bank of England, were put in circulation. Perhaps thrice that amount of worthless paper money was wholly annihilated. The Bank of England itself was brought to the

* Allusions to this act of National Bankruptcy, so discreditable to the good faith and intelligence of the British Government, are very rarely met with in English authorities. "*Sit pudor; sit tamen veri respectus.*" Storch, vol. iv, p. 125, gives a full account of the matter.

† Mr. Horner's speech in the House of Commons.

Digitized by Google

miserable necessity of issuing one-pound notes to avoid a suspension of specie payments.*

It was during this memorable crisis that Mr. Huskisson declared in Parliament, that owing to the destitution of coin and the circulation of country bank paper, the people of England were "within twenty-four hours of a state of barter."

The blame of this terrible series of events fell heavily and justly upon the Bank of England, and resulted in the partial abrogation of its monopoly. In 1826, the restriction by which joint-stock banks had been limited to six partners was removed; and notwithstanding the severity of the times, the number of these banks amounted, June, 1836, to seventy-seven; four-fifths of which issued notes. In March of that year their circulation and loans amounted to £3,094,025. The private banks with six partners still continued in operation: their number at the date last mentioned was five hundred and fifty-nine, and their loans and circulation amounted to £8,353,894. These institutions are now so numerous and powerful as to hold the Bank of England itself in check.

The more recent disturbances of the commercial and financial affairs of England; the extremity to which the Bank has been reduced within the last year, forcing it, in order to avoid the suspension of specie payments to obtain from the Bank of France a loan of £2,000,000 in specie; the interruption of manufactures, and the ruinous steps adopted with respect to the American trade in consequence of the hazardous position of the Bank, can hardly have escaped the observation of the reader. Our limits prevent, at this time, a particular view of these occurrences.

Is there anything in the history of this most perfect exemplification of the "*credit system*" to encourage its adoption in the United States? We have seen the Bank of England, sustained by the faith and resources of the British Empire, twice suspending specie payments altogether, and four other times substantially suspending, by resorting to pitiful expedients of paying out sixpences, or issuing cancelled one-pound notes. We have seen the notes of that bank depreciated, at times, to nearly twenty-six per cent. below their nominal value, notwithstanding an act of Parliament requiring them to be received at par. We have seen her issues fluctuating several millions of pounds within a few months. We have seen a destruction of country bank paper, during her administration of the financial affairs of the kingdom, unequalled in the history of mankind, except perhaps in the case of Law's bank in France. The greatest commercial derangements which appear in the history of England have occurred during the existence of the Bank of England, viz., in 1783, 1797, 1816, 1818, 1825, and 1839; and in each of these instances the operations of the

* Smith's Wealth of Nations, vol. iv. (McCullock's Ed.) p. 271.

Digitized by Google

Bank have not only failed to relieve the community, but have actually, by means of over-issues, produced the disasters such an institution is intended to prevent. "In no less than seven instances," says a writer of great authority, "has the Bank abused its power, and caused, or greatly contributed to cause, immense injury to the public interests, since 1780."* We have seen how the national debt of Great Britain has grown up mainly through the facilities for borrowing afforded by the Bank. We have seen its bribes for a renewal of its monopolies; its power over British legislation; its enormous profits, and its tendency to the aggrandizement of the aristocracy. Do we find in this history an example worthy of adoption in the United States? Shall the rotten "credit system" of Europe, which is crumbling to ruin and involving in its destruction the dearest rights of the community, migrate to this free nation, and transfer to us and our posterity the curse which has blighted the land of its birth? Let us at least profit by experience—an experience so recent and so palpable as that of our English neighbors.

We have not profited so much as we ought by the experience of foreign nations. They have, for centuries, been going through the same processes and vicissitudes we are now experiencing. Paper money has been tried, with every possible advantage of experience, wealth, commercial pre-eminence, and national credit. It has never succeeded. The dark picture of paper money circulation, presented by the history of our own affairs, since the independence of these States was established, would form a proper sequel to the sketch we have already drawn. But in respect to this, we must presume on the knowledge of our readers; and content ourselves with a general reference to the numerous articles on this subject which the pages of the Democratic Review have presented within the course of the past two years. May we not, then, safely adopt the conclusion of Mr. McCulloch, whose words we quote with a slight variation, "that whenever the power to issue paper money has been conceded to any set of persons, it has been abused, or, which is the same thing, such paper has uniformly been over issued, or its value depreciated from excess." We propose in a second Article to consider the practical inferences to be drawn from the foregoing facts; the proper limitation of paper issues in this country in view of the actual circumstances of the case upon which we have to work; and the means by which that limitation may be effected.

---

* Mushet's "Letter on the Currency."

Digitized by Google

SONNETS ON THE SONNET.

I.

I *love* the Sonnet—so compact and neat,
  With its two quatrains and its triplets twain—
  Gift of Italia's muse in DANTE's reign,
By PETRARCH tuned to harmony complete.
From the bright south, in words and numbers sweet,
  'Tis quickly wafted o'er the bounding main;
  SIDNEY and SPENSER catch the graceful strain,
And peerless SHAKSPEARE doth its notes repeat.
Then MILTON takes it for his noblest rhymes;
  And though not found in lofty DRYDEN's lays,
Nor POPE's, nor GOLDSMITH's, yet, in later times,
  WORDSWORTH devotes it to rehearse the praise
Of Nature, Freedom, Truth; nor merely chimes
  With tinkling words, but wins and wears the bays.

II.

I *read* the Sonnet. The full complement
  Of fourteen lines one minute will despatch,
  And so much time one easily may snatch
From labor or repose. God has not lent
Our mortal term, that all should be employed
  In cheerless toil; and those ordained to lead
  Laborious lives should take more earnest heed,
Lest their diviner powers become alloyed,
Or rust and die. This, then, the Sonnet's part;
  Within its narrow pale are oft combined
Thought, fancy, genius, high poetic art;
  And when for lengthened song no hour we find,
The Sonnet comes to charm, to mend the heart,
  And with ambrosial fare to feed the mind.

Digitized by Google

III.

I *write* the Sonnet. In this work-day age
A busy man can seldom make the time,
To tempt the muse in more extended rhyme;
And though it patience need the lines to gauge,
In strict accordance with the Sonnet's laws,
Yet when the mind is raised, the fancy warm,
Some care and effort will the task perform.
I write it too (though late the gift) because
I frame it in the solitary walk;
Or in the flying car, when motion, noise,
Will not allow you or to read or talk;
Or when some careless task my hand employs;
Or in the restless watches of the night;
Thus putting blank or evil thoughts to flight.

IV.

I *print* the Sonnet. Some one grumbles, "Why?
"Must all who write bad verses shine in print?"
E'en though I should not profit by the hint,
The question's fair, and claims a fair reply.
My answer, then, kind reader, this must be—
Though bards are numerous, "much remains unsung;"*
Much in this land of ours, where, fresh and young,
Nature disports, and thought and speech are free.
Then, too, our native masters of the lyre
Seldom employ this form of poesy;
In other modes they choose to strike the wire,
Leaving the Sonnet to such wights as me:
And if my strains wake in a single breast
One pure, high thought, why should they be suppressed?

New York, 1840. B. F. B.

---

* "Much yet unsung remains."—Beattie's *Minstrel.* Book II.
—"Much yet remains
Unsung."—Cowper's Task. Book III.
Also—T. Ritchie, *passim.*

Digitized by Google

THE ZEPHYR, THE ROSE, AND THE STAR.

"From yonder leafy hill,
Where the spring flowers earliest grow,
Far away,
Where the stream that turns the mill,
With its never ceasing flow,
Is at play;

"From wandering 'mid the grove,
With its summer garments clad,
Green and bright,
I have come, my only love,
To make thy spirit glad,
This fair night.

"I've been roaming all the day,
I have journeyed far and near;
But I come,
No more with wish to stray,
But, blessed and blessing, here
Find a home."

Thus whispering soft and sweet,
Towards the rose's shady bower
Stole the wind;
But she looked not up to greet—
Ah! wherefore is the flower
So unkind?

"My beauteous rose," he said,
In his most bewitching tone,
"Wilt thou chide,
And turn from me thy head?
I love thee well, my own
Fair young bride."

Then stole he to her side,
And kissed away a tear
From her eye;
But the rose only sighed,
And he paused in vain to hear
Her reply.

Through the casement opened wide,
I was watching one bright star
In the sky;
And as turned the rose aside,
Its soft ray from afar
Lit her eye.

Then vexed the wind did seem,
And he sought the leaves to raise
For a screen,
That no more upon its beam
The lovely rose might gaze,
Nor be seen.

"Ah, cruel wind," said she,
"I have trusted thee too long;
For no spell
Has taught thee constancy,
And vain is now thy song—
Fare thee well!

"Away to yon bright bower,
Where many a blossom fair
May be thine,
And perhaps some foolish flower,
Whose heart thou wilt ensnare,
Like to mine.

"In my sweet retirement blessed,
By thee unseen, unknown,
For a while,
Ever brightly in the west
The evening star looked down
With fond smile.

"But I cared not for its light,
And its faithfulness despised—
Oh, so blind!
Thy whispers of delight
My young heart only prized,
Fickle wind.

Yet ne'er that star its ray
On me, from its bright home,
Ceased to cast—
While thou, too long away,
Ah, now too late hast come,
Beloved, at last!"

Thus sighed the dying flower,
As she bade the wind adieu—
'T was the last;
And forth to neighb'ring bower,
Through the star-gemmed night, he flew
Off so fast!

And again amid the grove,
And in every verdant spot
Far and near,
He told his tale of love,
While the rose was soon forgot,
Once so dear.

But nightly in its home,
Where the bright and crimson west
Glows afar,
O'er the flowret's lonely tomb,
By fallen leaves light pressed,
Shines the star.

Lenox, Mass. S. W. F.

Digitized by Google

THE

UNITED STATES MAGAZINE

AND

DEMOCRATIC REVIEW.

Vol. VII. MARCH, 1840. No. XXVII.

CURRENCY REFORM.

SECOND ARTICLE.

In a former Article,* by a brief historical review of the use of a paper currency in European countries, we placed before the reader such evidence as the experience of many countries affords, that such a currency has never, in any age or country, for any considerable period, formed a steady circulating medium; that wherever either governments or individuals have had the power to create such a currency, it has been created in excess, and has resulted in a calamitous depreciation. We called the attention of the reader particularly to the fact that ultimate security of redemption will not preserve paper-money at par, unless it be immediately convertible into specie; and that the promise of immediate convertibility, by any other banks than those of deposite, is fallacious and ineffectual. It was particularly intended in the former Article to fix attention upon the effects of an *excess* of currency, and to show that this condition has heretofore *always* attended the use of paper-money, except for short periods, and is almost inseparable from that use; but that, in the absence of the precious metals, the currency may be so inadequate to the wants of the community as to keep in circulation, for short periods, paper tokens wholly destitute of security or value. The reader who has accompanied us through that Article will, we think, be convinced that *excess of issues* is the great evil of paper-money; and that it cannot be safely used, no matter what basis it rests upon, except to a very limited extent, not exceeding probably one-half the actual currency of any country. Neither perfect security of ultimate redemption, nor a pretended convertibility into specie on demand, has ever been sufficient to prevent depreciation. Public attention has been too much directed to these latter particulars as the means of reforming our paper circulation; whereas, in fact, without an absolute and narrow limitation of the amount of issues, so that the

*See Democratic Review, No. XXVI, February, 1840, page 167.

Digitized by Google

specie circulation, concurrent in the community, may be so considerable as to adjust, without disturbance, the balances arising in foreign commerce, the security and convertibility of bank bills, in the sense the latter term is used in this country, are of very subordinate importance. The assignats of Russia were nominally convertible on demand into copper coin, and the credit of the Empire was pledged for their ultimate redemption. The bills of the banks of Vienna, Copenhagen, and Stockholm, purported to be payable on demand in specie. The public domain and the faith of the government were pledged for the redemption of the French assignats and mandats. The notes of the Bank of England are in fact secured by a pledge of the national wealth, as the capital of the bank is a part of the public debt. And in the United States, bank bills have generally professed to be payable in specie on demand, and in many instances their ultimate redemption has rested upon the most solid security. But in all these instances an excess of issues has hastened to great depreciation; a result which can never be avoided by any accumulation of security for ultimate redemption, nor by any promise to pay on demand, unless an equivalent amount of specie be held by the promiser.

A mere promise to pay on demand, based, not on the actual ability to keep that promise, but on credit, and on a calculation of chances as to the demand being enforced, is not enough. Such a promise has been shown to be ineffectual repeatedly in England, several times in France, and times without number in Austria, Denmark, Sweden, Russia, and the United States.

Before the establishment of the Bank of England no institution had ventured to issue its bills, payable on demand, without possessing in its vaults the means of fulfilling the undertaking. The Bank of England first made the experiment of loaning its credit, and of issuing promises to pay when it could not, by any possibility, redeem those promises. The promise is fallacious; it is dishonest. The promiser knows it to be out of his power to fulfil it literally; and the public perfectly well know that it cannot be complied with. If it were an honest and faithful promise, based upon adequate means, the bills would never fall below par, for they would always in truth represent the same amount of specie; but the inordinate cupidity of banks could not, on those conditions, be satisfied.

Nor is mere security of ultimate redemption sufficient to keep paper-money at par. No credit security can be better than that of the Bank of England; yet the notes of that Bank, as we have seen, were, within a very recent period, more than twenty-five per cent. below par. Hence real-estate banks have never been able to maintain the nominal value of their bills; and the bills of the banks organized under the new law in the State of New York, though secured, beyond all question, by the pledge of State stocks, and of bonds and mortgages at half estimates, are generally at a scale of depreciation below the bills of the old banks. The post-notes of the Bank of the United States pay interest, and are probably secure, as the Bank can hardly have wasted in so short a time

Digitized by Google

the whole amount of its capital; yet these bonds have fallen eighteen per cent. below par. But a still stronger example may be shown in the bonds of the States, the ultimate security of which can be hardly called in question. Yet these bonds, paying six per cent. interest, have been sold as low as sixty-five cents on a dollar!

On the contrary, the wants of the community have sometimes given currency to a limited amount of paper-money which had neither ultimate security of payment nor convertibility. For the first eighteen years the paper-money issued by Catharine II. did not become depreciated; it was needed for the purposes of barter, and the amount issued was within the bounds of that necessity. During a portion of the period in which the Bank of England suspended specie payments, its notes even bore a small premium, until by over-issues they were depreciated. The French assignats, after they assumed a form which had no security, and did not even contain a promise to pay, were for a considerable time current at par, until they were issued beyond the wants of the public. So in the case of Law's bank, after its promise to pay in the proper denomination was changed, its credit was not instantly impaired, but the bills continued current until they were issued in such profusion as to become valueless.

And in the United States, in quiet times, when the currency is not redundant, a question seldom arises as to the real responsibility of a bank, or the amount of specie provided for the redemption of its bills. When the currency is crowded, and exchanges become adverse, the inquiry becomes very serious.

In view of these facts, then, are we not right in expressing the opinion that public attention has been fixed too strongly on two points, to wit, ultimate security of redemption, and a fancied convertibility into specie, when in fact, for all practical purposes, the most important inquiry should be—what is the amount of issues?

So strongly have these views taken possession of the present English economists, that they have gone into the opposite extreme. Mr. Ricardo stated the theory, and it has been warmly espoused by Mr. McCulloch, that paper-money, made a legal tender, and receivable for public dues, might be kept at par with gold and silver in any country, by the mere limitation of the amount issued, without any reference to its convertibility or security for its ultimate redemption.* The latter writer maintains that "it is not necessary, in order to sustain the value of such notes, that they should be payable at all; the only thing which is required for that purpose is, that they should be *limited in quantity*." The reasoning of these writers may be briefly thus stated: Every country has a certain number of exchanges to effect, and, so far as regards them, it is of no importance whether these are effected by a certain number of coins or by

* Ricardo's "Proposals for an Economical and Secure Currency," published in 1817. His Political Economy, Chapter XXV.

McCulloch's Notes to Smith's Wealth of Nations; vol. IV, p. 299. Commercial Dictionary, p. 66.

Digitized by Google

an equal amount of paper-money. Notes are merely tickets or counters, used in computing values, as property is transferred from one individual to another. Their value depends wholly on the number in circulation, compared with the number of exchanges to be effected. If too large a proportion be issued, they sink below specie; if too small amount, in proportion to the specie in circulation, their superior convenience will raise them to a small premium.

The extensive circulation of valueless paper in the United States, in prosperous times, or when the currency is not redundant, seems to confirm these views. After the suspension of specie payments in May, 1837, it is fresh in the memory of all that in the course of business almost every kind of certificate or piece of paper resembling a bank bill was freely circulated. Necessity required tokens; specie could not be obtained, nor solvent bank bills; and valueless tokens supplied their place. But such a paper circulation, in case of any public calamity, becomes utterly worthless. Should the stability of the government be shaken, it would be mere waste paper.

A French writer, of much vivacity, has compared Mr. Ricardo's paper currency to the mimic fortifications of the Chinese, and perhaps the illustration is better than any argument.* "Admiral Anson," he says, "in his voyage to China discovered that the fortifications placed along the river at Canton, and which were intended to inspire him with a respect for the power of the Chinese, although they presented an imposing appearance at a distance, were really made only of figured paper, and were mounted with nothing but cannons of pasteboard." "The Chinese," he continues, "have reasoned like Mr. Ricardo: the use of paper instead of copper for artillery supplies the place of a very expensive material by means of one more cheap; and by exchanging all copper cannon for paper the entire value of the copper will be saved to the country." "This would do very well," he adds, "so long as peace continued; but on the first appearance of war or danger it would be seen that paper money and paper cannon would by no means equal the real metals they have displaced, and that public security had been sacrificed to a mistaken economy."

The convenience of a paper currency in large and distant transactions has never, we believe, been denied. But it appears to be established by the facts and reasonings which we have rapidly brought into view, that such a currency cannot be permanently kept at par with gold and silver except on two conditions: first, that it be issued as a mere certificate actually representing an equal amount of specie deposited for its redemption; second, if it depend at all on credit, the amount of issues must bear a very small proportion to the whole currency of a country, and must be absolutely and unrelaxingly limited at that point. The former condition deprives paper-money of the source of its chief profits, and is not likely to be soon adopted—though it is a result to which we hope eventu-

* Sismondi, Nouveaux Prin: D'Econ. Polit; Vol. II, p. 106, Ed. Paris, 1827.

Digitized by Google

ally to arrive. On the latter condition a moderate amount of paper currency may be safely used, if it be only possible to keep it down within such limits.

Let us, then, with these principles in view, examine the question in a practical aspect, with reference to the United States. Our banks all promise to pay on demand; and it would not be difficult to provide by the pledge of land or of State credit for the ultimate redemption of their bills. But both of these provisions, as experience has proved, are not enough to preserve a sound paper circulation. There is no limitation upon the amount of issues; and, notwithstanding the checks above mentioned, we constantly see our currency expanding and contracting at short intervals, and these fluctuations are accompanied by commercial distress and manifold public injury, in a moral as well as economical point of view. It is vain to hope that these evils may be prevented by penalties upon suspension; the interests of the banks become so closely interwoven with the interests of the community, that the enforcement of such penalties will ever be impossible. A remedy must be found which will guard against the recurrence of the evil, and we must look for relief to the natural laws of trade, which no positive legislation can safely attempt to control.

No proposition can be established on stronger reasoning, *a priori*, than that if banking were thrown open to every member of the community, and each individual were allowed to issue his own notes without restraint, this branch of business, like every other, would regulate itself. But admitting this conclusion, it has, we fear, little practical value in the present condition of things; for the community have so long been subjected to an artificial state, they have so long looked upon printed bank-notes as of more value than written promissory notes, and have been led into habits of confidence by the apparent security thrown around the former by the magic of legislative charters and the imposing apparatus of boards of directors, that before the illusion could be completely dissipated, and each individual could be brought to exercise an unprejudiced judgment upon the money he received, in the same way that he now does upon other articles of barter, a long course of fraud and deception would exhaust itself, and losses, inconveniences, distrust, and hazard, might—it is not unlikely—drive the community back to the former evil system before proceeding through the troubles which would be incident to the introduction of a new one. Nor can we hope for the coöperation of twenty-six legislatures in such a measure; and a single State by adopting it would suffer the greatest inconveniences from the non-conformity of its neighbors, as has already been experienced in the attempt to suppress bills of a small denomination. We must, therefore, apply our remedies to the present condition of affairs; and as the laws of trade have already been violated by positive legislation, we must resort to other legislation for the purpose of gradually restoring a healthy and natural condition.

The great practical question then recurs—how can the amount of paper issues in the United States be restricted within the limits necessary

Digitized by Google

to safety? We do not ask, within what limits they can be used with *advantage*, for we do not regard them as attended with advantage in whatever proportions issued; but taking the great existing pyramid of evil as it actually stands, the important practical question here considered is, how it may be modified and reduced within the limits of safety.

One class of politicians will answer—by a National Bank; but the majority of the people are certainly not of this opinion; for our history, during the last half century, as well as European history, for four times that period, proves that a National Bank does not, in fact, secure that benefit. But if the people were convinced that such a bank would effect this object, they would still feel that the political dangers arising therefrom, through the strength conferred by it on the Federal Government, and above all the want of constitutional power in Congress to charter such a bank, are more conclusive arguments against the establishment than the prospect of any advantages to be derived from it.

Laying aside, then, the agency of a National Bank, what other restrictions can be invented for the limitation of paper issues? Can the Federal Government assume the prerogative? Clearly not, within its present delegated powers, as hitherto exercised. The right to authorize incorporated banks to issue paper-money, which has so long been assumed by the State Legislatures, although it has in fact amounted to an usurpation of a prerogative conferred on the Federal Government by the Constitution, could not at present be controlled by Congress, without the express assent of the States. If the States would refrain from the further exercise of this power; if they would give life to that dead clause of the Constitution which was doubtless designed to authorize Congress to regulate the currency,—the framers of that instrument being under the idea that gold and silver would constitute the currency of the country,—and would consent not to tamper with the interests of the Union by local legislation on this subject of general interest, such a course would probably be the wisest, most direct and efficient. Convenience requires, and the Constitution provides, that the standard of metallic currency shall be kept uniform by the Federal Government, and an equal control over the substitutes actually used for specie would be no improper power to be vested in the same government. But this result must be produced, if it ever be, by a conviction of the public mind, the first seeds of which are as yet scarcely sown. As a practical measure, at the present moment, we fear it is hardly to be taken into consideration.

Can it be expected that the several States will unite in any common measure for restricting paper issues? Great difficulties would arise in attempting such conjoint legislation. Who would determine the proper limit of issues? In what proportion should those issues be distributed among the States? What reasonable hope can be entertained that every State will acquiesce in a permanent arrangement which could never be so nicely adjusted by positive law, as to distribute equal benefit to every part of the Union?

In the meantime, then, can nothing be done to mitigate the evil? If

the Federal Government have not the power, and the State governments have not the inclination to adopt decided measures, reaching to the root of the whole evil, can neither of these legislatures apply any palliative measures which will afford some intermediate relief? We think they may.

We are not the advocates of a purely metallic currency, in the perverse sense which is ascribed to us by the advocates of the Credit System. We do not contend for the destruction of credit, or that in every act of commerce or barter, the difference or value of the property exchanged or sold, should be paid at the time in gold and silver. Credit and confidence will always exist and perform important functions in every civilized community; and a more groundless calumny was never uttered than that which charges on the advocates of a sound currency a design to destroy credit and confidence. Promissory notes, bills of exchange, drafts, checks, and all the various fertile inventions of business and commerce, by which balances are suspended or adjusted, or money transmitted or represented, will always be a part of the machinery of trade, and will largely mingle with every branch of business in all civilized communities. But these contracts or substitutes should always have reference to some unvarying standard. That standard our Constitution has made to be gold and silver. This constitutional standard it has been the effort of the self-styled "friends of the Credit System" to banish and debase, and the Democracy have simply been struggling to maintain and restore it. Its preservation is essential to the preservation of national honor and faith, as well as of private integrity. Destroy it, and the right of property is destroyed; all wealth becomes illusory and of uncertain value. Destroy it, and every motive for honest industry is removed. The upright man is confounded with the knave; the honest dealer with the cheat. Destroy this standard, and practical agrarianism, in the most odious Whig sense, is at once established; the law of force would prevail over all immunities and rights; rapine would usurp the seat of justice, and social life would be dissolved in barbarism. For this standard the Administration, speaking the feelings of the people, are strongly contending; while the Opposition with equal eagerness are attempting to effect its prostration. They are the friends of perpetual credit instead of payment, of paper instead of specie, of promises and devices instead of fulfilments. They would absorb all the wealth of the country to themselves, and have the rightful owners content with their paper promises to refund it on demand. They would have the States become the mortgagers of the public revenues and domains; would draw, upon a pledge of the public faith, the luxuries of Europe to our shores for the gratification of their own extravagant tastes, or of their present short-sighted commercial avarice; and would provide no resources to protect public credit from disgrace and secure the foreign creditor from being defrauded. Gold and silver they would banish, if possible, beyond the seas, and would send after it our very lands and the riches of our soil, if the latter were capable of exportation. In place of these substantial

Google

riches they would give us stocks, post-notes and bank bills, payable in other promises to pay, and would forever banish all real money from the affairs of their improved community. These are the real agrarians, the true levellers, albeit disguised under the tinsel of the "Credit System." These men, who, by destroying the standard of the currency, and banishing the only real test of value, set afloat the prices of labor, of land and of commodities, inflate the community with artificial wealth, palm off a baseless substitute in the place of money, and press their desperate and hollow theories, until the obligations of all contracts become futile, and men can neither know the value of that which they may appear to possess, nor the worth of that which necessity compels them to purchase. The advocate of hard money is the friend of a stern and unvarying standard, by which labor, contracts, merchandize, and all other property, may, with even-handed justice, be measured by the rich and the poor alike. The "Credit System" man is for a fallacy, a fraud, a lying promise, a shadow of real money. He dreads the cash standard. Its plain and unvarying marks and weights confine him to honesty and fairness. When he receives he must pay—which is no part of his intention. When he promises it compels him to fulfil—which is the farthest possible from his real views. It cuts off the mystery of the broker, the banker and the money-changer; the magical transmutation of rags into wealth cannot be effected in its presence. Stock companies, post-notes, kites, memorandums, interest accounts, commissions, salaries, and all the dark inquisitions of the bank director's parlor; the intrigues, impositions, frauds, extortions, double-dealing and favoritism of the "Credit System," vanish before the bright face of the golden eagle; and misguided, oblique ingenuity can no longer over-reach the bluntest honesty. Honor to that far-sighted and firm statesman who was the first to raise his voice, many years ago in the halls of the Capitol, against the corrupt paper-money system, and in favor of the stern specie standard!

To the circulation, diffusion and adoption of the principles of Mr. Benton, we look for relief from our present evils. Public opinion, in the absence of positive legislation, must curtail and restrict our paper issues.

It must act upon legislatures, and first exterminate all bills of a small denomination. This is the first point of attack, the only immediate palliative which there seems any hope of applying. If legislation force paper money into use, legislation must be used to render that money as innocuous as possible. This is not a new restriction of free choice or action on the part of the community; it is merely lopping off one branch of a more extensive and long established restriction. The restraint upon natural right takes its origin from that legislation which confines the right to use credit, in the shape of bills, to a favored few; and to require those bills to be of large denominations, so as not to exclude gold and silver, is but an abrogation of part of the original monopoly. If we had no paper-money under the denomination of one hundred dollars, the vacuum would be immediately supplied by gold and silver. By this means a large amount of specie would be introduced and diffused, and paper issues

would be exceedingly restricted. Bank bills would be confined to the uses of commerce in its larger transactions, like other evidences of debt. All that commerce required would be issued, and no doubt an excess would sometimes be put in motion. But the effects would be far less disastrous than our present fluctuations. If two hundred millions of dollars, in gold and silver, were diffused through the circulation of the country, we could bear the exportation of twenty millions with comparatively little inconvenience. The consequent curtailment of paper would chiefly affect commerce, so that the inconvenience would chiefly alight where it ought in justice to alight, upon those whose imprudence produces the evil; and would not as at present be shifted off from the speculator, and visited upon the heads of the farmer and laborer. With a paper currency never rising beyond half the amount of currency required by the business of the country, and the remainder of gold and silver, fluctuations of five or ten millions in the latter might not seriously affect the former, but would only produce those necessary and legitimate results which flow from the inevitable variations of foreign exchange.

We hope the Democracy will keep constantly up to this standard, maugre the clamors of the money-changers, speculators, and bankers. Let the war upon small bills be unflinching, persevering, exterminating! We must look chiefly to the State Legislatures for this relief; but the Federal Government may aid much in the struggle. The Independent Treasury Bill bears strongly in favor of the specie standard, and although probably of no very potent effect itself, will be, we trust, but the precursor of the gradual extension of the same policy throughout all of the States. The rejection of paper-money in government transactions is of the first importance. Such measures, supported as they are by public opinion, give glorious encouragement to the friends of an honest and substantial currency.

The suppression of small bills is not merely a remedial measure for the currency; it is a step towards the reformation of public morals. The notorious "Credit System" stops not at the point of substituting paper-money for gold and silver. It aims to postpone, evade, and defeat all real payments. Its theory is, that one credit may be substituted for another to an indefinite extent, and that the day of actual payment may be postponed for ever. Gold and silver, land, merchandize, houses, public property, canals and rail-roads, may, upon its principles, be sold or pledged, and the proceeds forthwith applied in luxury and enjoyment, and their places be represented by bank notes, bonds and mortgages, and State stocks, upon the exchange and barter of which the community can thrive and grow richer and richer until the end of time. How different is the true principle of honest cash payments; of giving value for value; of real instead of illusory wealth; of honesty, good faith and integrity, instead of obliquity, fraud and evasion!

Our readers we trust will have patience while we probe this matter a little further. Its full exposition is of vital importance at this crisis.

Digitized by Google

In this country the word "money," ought not in strict propriety to be ever applied to bank bills. Money means *the legal tender* of the country. Bank bills are a mere substitute for money. Money is that which by the law of the land may be used in the payment of debts. By the Constitution of the United States, gold and silver only can effect that end, and they alone are money. In barter, which in an extended sense embraces all commerce, where the articles exchanged do not equal each other in value fractional differences must be adjusted in money. That which *finally* adjusts these differences and pays them, is money. Bank bills have insidiously usurped this function, and have practically violated the Constitution. They have in fact and in practice, by the force of State legislation and by universal usage, become a legal tender in the payment of debts; and if not objected to expressly at the time of presentation, the tender of bank bills is a legal tender of payment. But in fact they are only substitutions of one credit for another, and it is quite time that they should be stripped of their assumed and illegal character of money. If any number of persons had only one direct transaction, each with the other, there would be no bank notes, or bills of exchange, or other representations of money. But where a series of transactions is contemplated, the balance of any particular barter is not paid in money at the time, because it is expected that some future direct or indirect transaction will extinguish or modify that balance. A token or evidence of the balance is passed or made by the parties, and that token or evidence may be either a charge in account, a promissory note, a bill of exchange, or a bank bill. These are all contrivances to avoid the actual use of money; but it is not correct to call either of them money. They are no more money than the ticket brought home by the cook from the family grocer, or the tally-stick which the servant carries daily to the baker, and which serves to adjust his account at the end of the week. And bank bills have no more of the intrinsic qualities of money, than book debts or the tally-stick; they are more convenient and perfect tokens, but they are only tokens of indebtedness. Book debts are not readily available except between the immediate parties; they must be specially assigned to third parties. Bank bills have a convenience of denomination and form which enables them to be used as the token of money due in many successive transactions, without any actual payment. Promissory notes and bills of exchange hold an intermediate place, in point of convenience, between book debts and bank notes, being more convenient for transfer than the former, and less so than the latter. But it is said that bank bills are payable in specie, while book debts and notes are payable in bank bills. But this is a fallacy. The book debt, the promissory note, and the bill of exchange are as much payable in gold and silver as the bank bill. No legislative power in the United States can make them otherwise. The holder of either of the former class of securities is as much entitled to have them paid in specie as is the holder of a bank bill. The latter is more convenient in its properties and form, being payable to bearer, and requir-

Digitized by Google

ing no endorsement in its transfer. But its nature is the same with that of other obligations, and it is no more convertible into specie. A book debt or a promissory note can only be discharged in gold and silver, if the holder require it; and if it be not convertible into gold and silver, it is good for nothing except the nominal value of the paper. And this is also true of the bank bill. It is not money in any sense which will not equally apply to book debts or bills of exchange. Its form, and not its nature or the tenor of its obligation, makes it more convenient for transfer. It is a mere evidence of debt, and if not convertible into money, is worth nothing. An outlawed account current is as valuable as the note of a bank which is not convertible into specie on demand.

It is desirable to disabuse the public mind on this subject, and to bring back all the evidences of debt, or acknowledgments of money due, whether book accounts, checks, bills of exchange, promissory notes or bank notes, into one distinct class, and to separate that class entirely from the idea of money. If a horse worth one hundred dollars be exchanged for another worth fifty, and fifty dollars in money be paid at the time of the exchange, the transaction is closed. It is an instance of money adjusting a balance where the articles exchanged do not exactly meet in value. If instead of the fifty dollars in money, a carriage worth fifty dollars be given, it is a final act of barter; each party gives and receives value. If instead of the carriage, the fifty dollars be charged in account, the parties expecting to have further transactions, credit begins to intervene, and the transaction is not closed. The charge in account is an evidence of money due. If instead of the charge in account current, a promissory note or bill of exchange be given, it is still an evidence of debt, more convenient for transfer than the charge in account, but credit is still an element in the transaction, and the balance is not paid in money. If instead of a promissory note or bill of exchange, a bank note be given, we have still a substitute for money; a more convenient and available evidence of debt than either the account current or promissory note, but yet not a legal and actual payment of the balance. It differs not in its nature from either of the former evidences of debt; it is in a more convenient form, but possesses the same qualities, performs the same functions, and merely furnishes a voucher of so much money due. It is not money in any legitimate meaning of that word; it is merely a representative of money; an invention to delay and avoid the actual use of money. If this distinction be not correct, no line of distinction can be drawn between money and its substitutes, between cash and credit, between actual payment and an exchange of debts. Shall it be said that because bank notes are easily transferable and pass through many hands before they are converted into specie, they are, therefore, money? Then it must be not on account of their nature, but their superior convenience. But many banker's checks or drafts would pass as readily and remain as long in circulation as bank notes, if they were issued with equal formality, and made payable on demand. Does the fact that one evidence of debt is payable on demand, and the other is not payable on de-

Google

mand, make the former money? Then accounts current, when the course of trade has not established a regular period of credit, or after that period has expired, become money. The law, by giving days of grace on all notes but bank notes, and by forbidding individuals to issue notes payable on demand like bank notes, has prohibited all but the favored monopolists from putting their evidences of debt in a convenient form for easy use, and this interposition of the law, against natural right and the principles of free commerce, has conferred on bank notes an exclusive advantage, making them generally available instead of actual money. The consequence has been that these representatives of money have superseded and postponed the actual payment of the balances or differences in barter, to so great an extent, that the adjustment of those balances in the legal tender has become embarrassing and indeed impossible.

It is very desirable that this excessive substitution of credit for payment—of the representatives of money for money itself—should not continue to be so extensive and universal, and especially that it should not be allowed to enter into small transactions between parties who have no regular commercial intercourse. In other words, it is desirable that small balances, arising in single transactions, should in general be actually paid, and that money be used for that purpose instead of any substitute.

Hence may be derived a strong argument for the suppression of bills of a small denomination. These bills irresistibly supplant specie of the same denomination, and lead to the perpetual substitution of credit in the place of money. They should be banished from circulation, and the legal money of the country should be introduced in their stead, and made to perform its proper functions. We have for many years, in fact, had no actual payments; the whole course of business has been the mere substitution or exchange of one credit for another; and these credits have thus accumulated to so vast an extent, that any attempt to enforce payment has resulted in extensive bankruptcy. It appears to have wholly escaped our memory, that every man by the law of the land is bound to pay his debts in gold and silver, and not in the debts of other men, and that he is entitled to demand similar payments from those who owe him. The refusal to receive a fresh credit in the place of an old one, and the demand of actual payment, even from banks, has come to be regarded as oppressive and odious. Even the banks which so plausibly promise to pay specie for their bills, hesitate not to visit with their indignation and vengeance the creditor who presumes very civilly to ask for a fulfilment of that promise. No merchant who has a bank account dares to demand specie for the bills they pay out to him; he will sooner pay a premium to the broker for gold and silver than incur the hostility of the tyrannical incorporation which holds thousands of dollars to his credit in deposit. The banks, those lordling debtors to the whole world, have assumed a bold control over their timid and abject creditors; they have virtually abrogated the constitutional provision against an illegal tender; they have

Digitized by Google

impudently promised to pay on demand so long as they can, by their combined authority, prevent that demand from being enforced; and the moment this prevention has failed them, they have scoffed at their promises, discarded all sense of moral obligation, and sheltered themselves behind legislative indulgences, extorted from the fears and distresses of the community, or purchased from corrupt representatives.

The community must be brought back to a system of real payments. They must learn to distinguish money from false tokens. All ordinary transactions must be adjusted in something else than mere substituted credit. The banks must be taught obedience to the laws, and be so curtailed of power as no longer to terrify their creditors. They must be prevented from infusing their pernicious and deceptive tokens and promises into the various and innumerable transactions of the industrious classes. Their operations must be restricted to the larger transactions of commerce, and a sound currency of gold and silver must supplant at least one-half of the worthless paper trash which now constitutes the sole medium of exchange and barter. Until this be effected there can be no stability in commerce, nor in any department of industry and trade. Revulsion will follow revulsion; speculation, extravagance, extortion and knavery will pervade the land, and the value of labor and of all real property will be perpetually fluctuating and uncertain. Public morals and national good faith will continue to be degraded and impaired; and the distribution of wealth will eventually become as unequal, in this association of republics, as it is in the most aristocratical and consolidated empires of Europe.

Within these limits we boldly take our stand as the advocates of a prompt return to a purely metallic currency; a currency which, by the provisions of the Federal Constitution, may be legally tendered in the payment of debts. And it is, in fact, against this provision of the Constitution that the noisy advocates of the "Credit System," the bankers, speculators and money-changers, are struggling, under various pretences and disguises. They ridicule the proposition of a specie currency. They pretend that cash payments will destroy commerce. They demand paper promises to the exclusion of gold and silver, and would compel us to receive for payment in all transactions that which is no payment, by the express provision of the Constitution. And it is among the disguises of their real ends that they aim to confound the proper meaning and use of the word money. They manufacture and diffuse bank notes, which they dignify with the name of money, for the express purpose of excluding all real money, and thus constrain the community, in the absence of the precious metals, either to forego all barter and commerce, or to accept in exchange for substantial value a token which the Constitution does not recognize as payment. Thus, by the force of public legislation, indirect indeed, but repugnant in spirit to the Constitution, the community is placed under the necessity of receiving into universal use a paper substitute for money, which, by dint of losses, counterfeits, depreciation, failures and refusals to pay, leads

Digitized by Google

directly to the amassing of great estates by the privileged few at the expense of the suffering mass of the people.

It is our wish to arouse the community against this conspiracy; to induce them firmly to take their stand in favor of real payments, real money, and a specie standard. The first practical movement towards this desirable end, as we have already endeavored to show, is the suppression of all bank notes of a small denomination. We would proceed slowly and gradually, but steadily, and with firmness. We would not stop at the denomination of five dollars, or ten dollars, or twenty dollars. We would proceed, before stopping, at least as far as the example presented by France. Three-fourths of the actual money in use would thus, in all probability, be gold and silver, and the large bills of the banks would still afford every needful aid to the heavy transactions of commerce. The fluctuations arising from foreign trade could then be easily adjusted out of the mass of the specie in the country, and we should escape those ruinous convulsions, panics, and suspensions, which have so frequently, within the last few years, wasted the accumulations of our industrious population, and exhausted the vast resources of our natural wealth. An absolute limitation of the amount of paper issues must, some how or other, be effected; and in the absence of power in the Federal Government to effect this limitation, the next most efficient and practical measure is the suppression of bank notes of a small denomination by the Legislatures of the several States.

The ground would then lie open for the safe and practical introduction of the true principle, which should govern this as every other branch of the business concerns of the country—the principle of absolute, unrestricted, universal *freedom*. We would even most cheerfully consent to its immediate introduction, were the public mind at all prepared for its reception; satisfied that even the preliminary suffering which its first operation might probably cause, before the evil of paper currency should work out its own perfect cure by being left perfectly free to exhaust and destroy itself, would fall far short in amount of that which we must still for a long period continue to endure before reaching the end of the same reform by the opposite process here indicated. But it is vain to urge this theory at present, though we would still keep it before the public eye, and still hold it out as a common ground on which may be compromised the great controversy now in progress between the blinded advocates of paper-money, and those who, like ourselves, are devoted to the great and noble moral, social, and economical reform, of a sound and solid specie currency and standard of value. The public opinion is not now very far from the state of maturity requisite for the suppression of the smaller denominations of paper-money. This will be a great step, an immense good; and we will not throw away its substantial benefit, in an impracticable pursuit after the shadow of a preferred theory, for the ultimate adoption of which the former will serve as an effective and necessary preparative.

Digitized by Google

JOHN INGLEFIELD'S THANKSGIVING.

BY REV. A. A. ROYCE.

On the evening of Thanksgiving day, John Inglefield, the blacksmith, sat in his elbow-chair, among those who had been keeping festival at his board. Being the central figure of the domestic circle, the fire threw its strongest light on his massive and sturdy frame, reddening his rough visage, so that it looked like the head of an iron statue, all a-glow from his own forge, and with its features rudely fashioned on his own anvil. At John Inglefield's right hand was an empty chair. The other places round the hearth were filled by the members of the family, who all sat quietly, while, with a semblance of fantastic merriment, their shadows danced on the wall behind them. One of the group was John Inglefield's son, who had been bred at college, and was now a student of theology at Andover. There was also a daughter of sixteen, whom nobody could look at without thinking of a rose-bud almost blossomed. The only other person at the fireside was Robert Moore, formerly an apprentice of the blacksmith, but now his journeyman, and who seemed more like an own son of John Inglefield, than did the pale and slender student.

Only these four had kept New England's festival beneath that roof. The vacant chair, at John Inglefield's right hand, was in memory of his wi e, whom death had snatched from him since the previous Thanksgiving. With a feeling that few would have looked for in his rough nature, the bereaved husband had himself set the chair in its place next his own; and often did his eye glance thitherward, as if he deemed it possible that the cold grave might send back its tenant to the cheerful fireside, at least for that one evening. Thus did he cherish the grief that was dear to him. But there was another grief which he would fain have torn from his heart; or, since that could never be, have buried it too deep for others to behold, or for his own remembrance. Within the past year another member of his household had gone from him—but not to the grave. Yet they kept no vacant chair for her.

While John Inglefield and his family were sitting round the hearth, with the shadows dancing behind them on the wall, the outer door was opened, and a light footstep came along the passage. The latch of the inner door was lifted by some familiar hand, and a young girl came in, wearing a cloak and hood, which she took off, and laid on the table beneath the looking-glass. Then, after gazing a moment at the fireside circle, she approached, and took the seat at John Inglefield's right hand, as if it had been reserved on purpose for her.

"Here I am at last, father," said she. "You ate your Thanksgiving

Digitized by Google

dinner without me; but I have come back to spend the evening with you."

Yes—it was Prudence Inglefield, She wore the same neat and maidenly attire, which she had been accustomed to put on when the household work was over for the day, and her hair was parted from her brow, in the simple and modest fashion that became her best of all. If her cheek might otherwise have been pale, yet the glow of the fire suffused it with a healthful bloom. If she had spent the many months of her absence in guilt and infamy, yet they seemed to have left no traces on her gentle aspect. She could not have looked less altered, had she merely stept away from her father's fireside for half an hour, and returned while the blaze was quivering upwards from the same brands that were burning at her departure. And to John Inglefield she was the very image of his buried wife, such as he remembered her on the first Thanksgiving which they had passed under their own roof. Therefore, though naturally a stern and rugged man, he could not speak unkindly to his sinful child, nor yet could he take her to his bosom.

"You are welcome home, Prudence," said he, glancing sideways at her, and his voice faltered. "Your mother would have rejoiced to see you, but she has been gone from us these four months."

"I know it, father, I know it," replied Prudence quickly. "And yet when I first came in, my eyes were so dazzled by the fire-light, that she seemed to be sitting in this very chair!"

By this time the other members of the family had begun to recover from their surprise, and became sensible that it was no ghost from the grave, nor vision of their vivid recollections, but Prudence her own self. Her brother was the next that greeted her. He advanced and held out his hand affectionately, as a brother should; yet not entirely like a brother, for, with all his kindness, he was still a clergyman, and speaking to a child of sin.

"Sister Prudence," said he earnestly, "I rejoice that a merciful providence hath turned your steps homeward, in time for me to bid you a last farewell. In a few weeks, sister, I am to sail as a missionary to the far islands of the Pacific. There is not one of these beloved faces, that I shall ever hope to behold again on this earth. Oh, may I see all of them—yours and all—beyond the grave!"

A shadow flitted across the girl's countenance.

"The grave is very dark, brother," answered she, withdrawing her hand somewhat hastily from his grasp. "You must look your last at me by the light of this fire."

While this was passing, the twin-girl—the rose-bud that had grown on the same stem with the cast-away—stood gazing at her sister, longing to fling herself upon her bosom, so that the tendrils of their hearts might intertwine again. At first she was restrained by mingled grief and shame, and by a dread that Prudence was too much changed to respond to her affection, or that her own purity would be felt as a reproach by

Digitized by Google

the lost one. But as she listened to the familiar voice, while the face grew more and more familiar, she forgot everything, save that Prudence had come back. Springing forward, she would have clasped her in a close embrace. At that very instant, however, Prudence started from her chair, and held out both her hands, with a warning gesture.

"No, Mary—no, my sister," cried she, "Do not you touch me. Your bosom must not be pressed to mine!"

Mary shuddered, and stood still, for she felt that something darker than the grave was between Prudence and herself, though they seemed so near each other in the light of their father's hearth, where they had grown up together. Meanwhile Prudence threw her eyes around the room, in search of one who had not yet bidden her welcome. He had withdrawn from his seat by the fireside, and was standing near the door, with his face averted, so that his features could be discerned only by the flickering shadow of the profile upon the wall. But Prudence called to him, in a cheerful and kindly tone:

"Come, Robert," said she, "won't you shake hands with your old friend?"

Robert Moore held back for a moment; but affection struggled powerfully, and overcame his pride and resentment; he rushed towards Prudence, seized her hand, and pressed it to his bosom.

"There, there, Robert!" said she, smiling sadly as she withdrew her hand, "You must not give me too warm a welcome."

And now, having exchanged greetings with each member of the family, Prudence again seated herself in the chair at John Inglefield's right hand. She was naturally a girl of quick and tender sensibilities, gladsome in her general mood, but with a bewitching pathos interfused among her merriest words and deeds It was remarked of her, too, that she had a faculty, even from childhood, of throwing her own feelings like a spell over her companions. Such as she had been in her days of innocence, so did she appear this evening. Her friends, in the surprise and bewilderment of her return, almost forgot that she had ever left them, or that she had forfeited any of her claims to their affection. In the morning, perhaps, they might have looked at her with altered eyes, but by the Thanksgiving fireside they felt only that their own Prudence had come back to them, and were thankful. John Inglefield's rough visage brightened with the glow of his heart, as it grew warm and merry within him; once or twice, even, he laughed till the room rang again, yet seemed startled by the echo of his own mirth. The grave young minister became as frolicsome as a school-boy. Mary, too, the rose-bud, forgot that her twin blossom had ever been torn from the stem, and trampled in the dust. And as for Robert Moore, he gazed at Prudence with the bashful earnestness of love new-born, while she, with sweet maiden coquetry, half smiled upon, and half discouraged him.

In short, it was one of those intervals when sorrow vanishes in its own depth of shadow, and joy starts forth in transitory brightness. When the

Digitized by Google

clock struck eight, Prudence poured out her father's customary draught of herb tea, which had been steeping by the fireside ever since twilight.

"God bless you, child," said John Inglefield, as he took the cup from her hand; "you have made your old father happy again. But we miss your mother sadly, Prudence—sadly. It seems as if she ought to be here now."

"Now, father, or never," replied Prudence.

It was now the hour for domestic worship. But while the family were making preparations for this duty, they suddenly perceived that Prudence had put on her cloak and hood, and was lifting the latch of the door.

"Prudence, Prudence! where are you going?" cried they all with one voice.

As Prudence passed out of the door, she turned towards them, and flung back her hand with a gesture of farewell. But her face was so changed that they hardly recognized it. Sin and evil passions glowed through its comeliness, and wrought a horrible deformity; a smile gleamed in her eyes, as of triumphant mockery at their surprise and grief.

"Daughter," cried John Inglefield, between wrath and sorrow, "stay and be your father's blessing—or take his curse with you!"

For an instant Prudence lingered and looked back into the fire-lighted room, while her countenance wore almost the expression as if she were struggling with a fiend, who had power to seize his victim even within the hallowed precincts of her father's hearth. The fiend prevailed; and Prudence vanished into the outer darkness. When the family rushed to the door, they could see nothing, but heard the sound of wheels rattling over the frozen ground.

That same night, among the painted beauties at the theatre of a neighboring city, there was one whose dissolute mirth seemed inconsistent with any sympathy for pure affections, and for the joys and griefs which are hallowed by them. Yet this was Prudence Inglefield. Her visit to the Thanksgiving fireside was the realization of one of those waking dreams in which the guilty soul will sometimes stray back to its innocence. But Sin, alas! is careful of her bond-slaves; they hear her voice, perhaps at the holiest moment, and are constrained to go whither she summons them. The same dark power that drew Prudence Inglefield from her father's hearth—the same in its nature, though heightened then to a dread necessity—would snatch a guilty soul from the gate of Heaven, and make its sin and its punishment alike eternal.

Digitized by Google

THE CITIZEN.

FROM THE FRENCH OF BERANGER.

I.

Thou 'dst like, my child, to comprehend
  What "a citizen" doth mean;
Shut, shut thy books—to me attend—
  Thou from them canst nothing glean.
See beneath our window plod
  Yonder wheelwright aged and thin;
No master owneth he but God—
  That, my son, is "a citizen."

II.

Wreck of cohorts fam'd in story,
  Their fall he witness'd undismayed—
He bewailed our darkened glory
  While for brighter hours he prayed.
Sudden the trump of freedom calling,
  He's a soldier at her guns—
He serves her better than by falling,
  He to battle leads his sons.

III.

"My boys, our country dear," quoth he,
  "Doth to us her fate confide,
Confusion be on him who'll flee—
  Victory or death!" he cried.
Tears bedewed his furrowed face,
  He fought all covered o'er with blood;
The tyrant's standard in disgrace
  He broke and trampled in the mud.

IV.

Victory won, he home returned,
  With his boys to toil again—
How many names by fame inurned
  Are of less worth than these poor men!
Serve, like them, thy country wholely,
  For to him by whom 'tis sought
To be a true citizen solely,
  Glory's all, vile pelf is nought.

Digitized by Google

V.

Such holy dread of tyranny,
  Such scorn of base self interest,
Such love of country—can they be
  The inmates of a *subject's* breast?
A master's pride for him doth trace
  The bounds of his good will to men—
His narrow soul can ne'er embrace
  The virtues of a *citizen.*

E. B. O.

Albany, N. Y.

MORNING SONG.

'Tis morning, 'tis morning! the clouds in the sky
Stand gorgeously waiting the sun's coming nigh;
The young lambs are frisking in joy on the grass,
And the south wind is kissing the lips of the lass;
The ripples are breaking the smooth-mirrored lake,
And thy true-love is calling, wake, dearest! awake!

The lark from the clover has sprung to the cloud,
And mounts in his freedom with carolling loud,
The peak of the mountain is purpled in light,
The flowers with night-dew are diamonded white,
The hare leaves the plantain, the deer seeks the brake,
And thy true-love is calling, wake, dearest! awake!

The light mist is curling on top of the hill,
The starred trout is leaping out of the pure rill,
The spring-leaf, just starting, scarce waves in the grove,
And the redbreast is singing his sweet tale of love,
All nature has risen wild music to make,
And thy true love is calling, wake, dearest! awake!

From their sisterhood clusters, the violets exhale
Their fragrance, borne to thee upon the soft gale;
Balmy sleep and bright visions thy midnight have blest,
And angels have guarded thee during thy rest,
'Tis a jubilee morning, all, all for thy sake!
List, thy true-love is calling, wake! dearest! awake!

Pittsfield, Mass. S. S.

Digitized by Google

DEMOCRACY.

Democracy must finally triumph in human reason, because its foundations are deep in the human heart. The great mass, whose souls are bound by a strong fraternal sympathy, once relieved from ancient prejudice, will stand forth as its moveless champions. It fastens the affections of men, as the shield of their present liberties and the ground of their future hopes. They perceive in it a saving faith, a redeeming truth, a regenerating power. It is the only creed which does justice to man, or that can bind the entire race in eternal chains of brotherhood and love. Nothing sinks so deep into the hearts of the multitude, for nothing else is so identified with their moral and social good. Though the high and mighty of the earth may deride its simple truths, these are willing to die in their defence. Those truths are blended too closely with all for which it is worthy to live and glorious to perish, to be relinquished without a struggle or a pang. They are too firmly allied to the imperishable hopes, the deathless aspirations, the onward triumphant march of humanity, ever to be deserted. The fortunes of individuals may change—empires be born and blotted out—kings rise and fall—wealth, honor, distinction, fade as the dying pageant of a dream—but Democracy must live. While man lasts it must live. Its origin is among the necessary relations of things, and it can only cease to be when eternal truth is no more.

It is the principle of this Democracy we wish to unfold. Our design is to expound in our own way its nature, tendency, beauty, and end. We are drawn to it by strong cords, and cannot but explain the grounds of our love. In doing so, our business shall be mainly with great truths. Party names and distinctions shall have little influence over our thoughts. In every party there is much to approve, but much also to condemn. The duty of man—the preëminent duty of Americans—is to seek truth; to pursue it through every difficulty, wherever it lurks, with restless zeal. There is a clear region of philosophic inquiry above the clouds of party strife. To procure exemption from common errors and ordinary modes of thought, one must breathe its pure and wholesome air. He must retire from the din of daily warfare; he must live in the calm study of his own soul—in the silent observation of man. Freedom from prejudice is the indispensable condition of free thought. It is not from the hustings or the arena, we can send forth the strongest voice to our fellow men. In the sacred depths of retirement the soul alone is free—for there it roams gladly over the universe—communes with its own deep experience—consults the sublime spirits of the past—casts aside the trammels of the present—indulges glorious visions of the future, and

Digitized by Google

comes in contact with truth. We speak, therefore, not to parties, but to men. The interests of party fluctuate like the ceaseless flowings of the sea, while the interests of humanity are as permanent and eternal as the hills. Yet, if there be associations of men which, above others, recognize the principles we shall maintain; if there be a party, how obscure or dejected soever, which holds the truths we hold, as the distinctive ground of their political faith, as the badge of their fraternity—we hail them as brothers—extend the right hand of fellowship—unite with them in the great cause, and, from the last depth of our souls, bid them a right hearty God-speed.

Democracy, in its true sense, is the last best revelation of human thought. We speak, of course, of that true and genuine Democracy which breathes the air and lives in the light of Christianity—whose essence is justice, and whose object is human progress. We have no sympathy with much that usurps the name, like that fierce and turbulent spirit of ancient Greece, which was only the monstrous misgrowth of faction and fraud, or that Democracy whose only distinction is the slave-like observance of party usages—the dumb repetition of party creeds; and still less for that wild, reckless spirit of mobism which triumphs, with remorseless and fiendish exultation, over all lawful authority, all constituted restraint. The object of our worship is far different from these; the present offering is made to a spirit which asserts a virtuous freedom of act and thought—which insists on the rights of men—demands the equal diffusion of every social advantage—asks the impartial participation of every gift of God—sympathizes with the down-trodden—rejoices in their elevation—and proclaims to the world the sovereignty, not of the people barely, but of immutable justice and truth.

The subject, in every aspect it may be regarded, is obviously important. It involves questions of the highest moment, which have engaged and baffled the greatest minds, from the days of Aristotle to those of Sidney and Locke—which have tasked the loftiest energies of the loftiest intellects, and furnished themes of earnest discussion in each successive age of the world. The inquiry into human rights is the fundamental preliminary question of political science; it is the source of a thousand controversies—the centre of numberless great universal truths. As men view it, they determine the complexion of their political lives, their notions of government, their position in civil contests, their influence on the degradation or progress of mankind. Accordingly as we extend this doctrine of human rights, we become the upholders of tyranny, or the true friends of man—we become the contemptible adherents of the cherished few, or the noble champions of the oppressed many—we are identified with the rotten abuses of past misgovernment, or the healthful spirit of modern reform. The condition of society is modified by every change in this doctrine of rights. No other doctrine exerts a mightier power over the weal or woe of the whole human race. In times which are gone, it has been the moving-spring of revolutions—has aroused the

Digitized by Google

ferocious energies of oppressed nations—has sounded into the ears of despots and dynasties the fearful moanings of coming storms—has crimsoned fields of blood—has numbered troops of martyrs—has accelerated the downfall of empires—has moved the foundations of mighty thrones. Even now, millions of imprisoned spirits await its march with anxious solicitude and hope. It must go forth, like a bright angel of God, to unbar the prison-doors, to succour the needy, heal the sick, relieve the distressed, and pour a flood of light and love into the darkened intellects and dreary hearts of the sons of man.

As in the consciousness of moral truths all hearts confess their distinctions, though all are not agreed as to their precise number or force, so in the conviction of rights all acknowledge their reality, though they differ as to their nature and extent. The simple fact that man has rights seems unquestionable, and is accordingly admitted by almost unanimous suffrage, to the rank of a standard truth. Controversy commences with the attempted verbal definition or statement of what is contained in the fact. Man has rights, is every where the exclamation—but what are they?—how are they defined—what is their extent—where their limitation? What are the actual characteristics of the fact—whither does it lead—and what relation has it to the social arrangements of life? The problem is not without its difficulty, as toppling piles of fiery disputations, essays, tracts, and speeches may prove; yet it is not surrounded by that dark mist which should drive us despairingly away. Perhaps the labors of our fathers—certainly the eternal instincts of our own souls—will throw light into the gloom, so that all around may not partake of that Cimmerian night in which the pale ghost of thought wanders sightless and cheerless. Let us appeal to the reason and conscience and heart of man; for there is our only appeal—there is the only tribunal which can be called upon legitimately to decide. On this question there is no long line of authorities to cite, or despotic precedents to consult. If reason and conscience are incompetent guides, the whole inquiry is impracticable and absurd; we are thrown into the void, uncertain darkness, abandoned to dim conjecture and still dimmer hope.

That man has some rights, we say, is a fact beyond the limits of a lawful doubt; it is a fact presupposed in some sense in all political ratiocination; it is a fact of universal consciousness, which can no more be disbelieved than the existence of self; it is a fact which admits no formal demonstration, for itself is the groundwork and first-truth of demonstration. The best proof of its legitimacy is the appeal to each individual truth. It rests on instincts which are broad, bursting manifestations of Nature—on convictions which spring up spontaneously with the earliest as well as mightiest unfoldings of human thought which are developed in the child and the savage, and ever wield, under every sky, despotic influence over the volitions of human will. The spirit of resistance is never more instantly or violently aroused, than when these spontaneous convictions of right are infringed. No people, how stupid in mind or

Google

degraded in morals soever, which has not felt their might—so inseparable are they from human existence, so powerfully active over all the movings of human impulse. Years of oppression cannot wholly eradicate or dim their force, whilst they grow stronger and firmer with intellectual progress and moral elevation. Man has rights. To every faculty of his organization there is annexed the consciousness of a right to its use, of a right to invigorate and expand it, to multiply its objects and unfold its power. As a being of flesh and blood, of appetite and passions, of organs and limbs, he feels he has a right to their gratification and use. He may eat and drink whatever is adapted to his taste, and accumulate whatever means will increase his happiness or content. He may employ his corporeal powers in any occupation for which they were designed; he may exercise his labour and skill in the direction which may best contribute to his comfort; he may fix his habitation, and adjust his modes of life, as private necessity or pleasure shall control. In all these dispositions, none on earth can say, what doest thou? As an intellectual being, he may use that capacity of intellectual growth with which he is endowed. He has a right to expand and invigorate every mental power, to cultivate every mental gift, to lay up knowledge in stores, to investigate every science, to comprehend all arts, to exhaust literature, to penetrate nature, to unfold past records, to commune with great minds, to sympathize with heroic deeds, to delight in virtuous achievement, to revel amid the magnificent creations of genius. Who shall restrain thought in its free passage over the broad universe—who shall clip the restless wings of imagination, or imprison the giant energies of the will? Man has the right to think—not only to think, but to utter. Thank Heaven, no chains can bind the viewless thought—no tyranny can reach the immaterial mind. Whatever his mind in the "wide circuit of its musings" may conceive, his mouth in the presence of the world may speak; what his noble spirit feels, he has the right to express. He may send forth his "truths of power in words immortal;" he may seek to convince and persuade his fellow men; to make known his convictions; to declare his aspirations; to unfold the truth; to discover new relations of thought; to promulge novel doctrine; to question error; and, if he be able, to move men towards a triumphant assault on evil institutions and corrupt laws. As a moral being, he has a right to decide on the duties of the sphere in which he is placed; he has the right to indulge the tenderest as well as loftiest sensibilities of the heart; to sigh with the sorrowful; to commiserate the oppressed, and to weep the bitter tears of a broken heart over misplaced confidence or wounded love. He has the right to nourish the sense of duty, the power of endurance, the energies of self-command; to conquer passion with manly force; to throw back temptation with lusty arm; to resist the myriad fascinations of deceitful life with iron heart and iron will. He has the right to act according to that conscience which his God has given; to oppose vice, though millions swell the ranks of its worshippers; to

Digitized by Google

espouse and uphold truth, despised as it may be, and even when the prospect reveals only the faggot and flame.

These rights of man belong to him as man—they are neither gifts or grants, or privileges, but rights. He traces them to no concessions of a parliament which may have assembled far back in the darkness of time; to no constitution which his forefathers may have sanctioned or framed; to no royal assent unwillingly yielded to the stubborn requisitions of a sturdy people; to no concessions granted in the plenitude of aristocratic generosity; to no revolutions nor battles; but to a higher and greater source than these—the God of his spirit, the Creator of the worlds. They are the primary, absolute, imprescriptible rights of his nature, derived through the laws of his being, as an immediate gift from Him that is over all. They belong to man as an individual, and are higher than human constitutions or human laws. The charter on which they depend was drawn from the skies, and bears the signet and stamp of Heaven. To fetter the freedom of man is not only to act the part of tyranny, but to inflict a gross wrong, to outrage a high gift, to trample on a creation of God.

As rights, then, are the possession of the whole race, equality of right is predicable of its constituent members. Identity of nature involves a community of attributes, and a parity of moral claims. Inequality of condition, it is obvious, can effect no transfer of rights. The strong, the rich, the gifted, the good, are only equal, in respect to rights, to those less abundantly endowed. Supremacy in one shape confers no supremacy in others; and if it did, as the roads to excellence are infinitely varied, there could be no mode of adjusting the diversity of conflicting claims.

Many objects of inquiry, abstruse in themselves, or complicated in their details, lawfully admit a wide latitude of debate; but on this subject, opinions can only diverge through the corrupting influence of interest or the blending agency of passion; for, if there be in the galaxy of celestial truths, one of purer ray or richer brilliancy than the rest, it is that which attests the essential equality of men. Endued, as they are, with the same appetites and desires, with conscience, reason, free-will, with kindred feelings of love and hate, and like susceptibilities of pleasure and pain; bound, as they are, by countless ties of sympathy and dependence, sharers of the same beautiful existence, handiwork of the same God, children of a common destiny, hastening on to an eternal world, who shall erect the barriers between them, or affix the mark which shall debar either this one or that one from the full fruition of every blessing of existence—every gift of God? Who shall assign rank to the members of an universal brotherhood? Who shall urge his superiority, and not shrink in crimson confusion before the rebuke of outraged humanity? No. As the simplest flower of the field expands its beauty to every eye, as the softest zephyr wafts cool refreshment to every brow, as the free winds of Heaven

Digitized by Google

blow, the stars forever shine, the ocean rolls its waves, the earth yields its increase for all; as the palsying hand of infirmity touches, as sorrow and suffering visit all, as "pallid death, with equal pace, strikes the cottage of the peasant and the palace of the king"; as the incidents of life afflict or elevate all, so are the high and holy rights which spring from the depths of our human being, the common inheritance of each—the glorious portion of all. They are a patrimony from which none, even the smallest of God's offspring, are debarred. Wherever are the upright form, the manly brow, the "large discourse of thought," which are the attributes of man, there are also the noblest rights of man. Trodden down, despised he may be; still is he man, bound to us by holiest ties of obligation, and calling in strongest tones upon our reverence and love. Let, then, the poor and weeping son of man look up, wherever he may be, moistening, with bitter tears, the hard crust of adversity. This world is not all a wilderness, for there is still a God and a brother to him. He is still embraced in the warm arm of friendliest affection. He still may hope that the wormwood and gall shall no more be mingled in the cup of daily life.

Man surrenders none of his rights on entrance into society. There is a theory which places the social and natural state in a certain mutual contradistinction and equipoise. It represents man as having existed in a certain state of natural liberty, with a portion of which he parted to secure the superior protection and enjoyment of the social state. What is precisely intended by this *natural state*, it is difficult to discover. The term has been used by writers in every varied sense, from the most simple to the most absurd. Some, with Monboddo, mean by it, an original inceptive, complete animal state, when humanity, like poor Chimpanzee, howled through the woods, with a tail and hair to his back, exposed to every vicissitude of season, and dependent for existence on the wild products of spontaneous nature. Others again have meant by it a primitive state of innocence, virtue, and peace.

> ——"When worth was crowned, and faith was kept,
> Ere friendship grew a snare, and love waxed cold—
> Those pure and happy times—the golden days of old."

While a third class, and generally the most numerous, use it as a figment of the brain—a conjunction of fancy wrought up in aid of a political speculation, or to help out some forgone conclusion. It looks at a man without society, without government, subordination, or law, and apart from those relations subsisting between him and his fellow-man. So we take Blackstone, when he says, "that natural liberty consists in the power of acting as one thinks fit, being a right inherent in us by birth, and one of the gifts of God to man at his creation, when he endued him with the faculty of free will. But every man, when he enters society, *gives up a part of his natural liberty* as the price of so valuable a purchase." Here we have the natural and social states placed in

Digitized by Google

a sort of antagonism. We must part with a portion of one to attain the benefits of the other. Man must give up the rights inherent in him at birth for other rights which are the creatures and offspring of social life. Membership of society is an acquired privilege, and all those benefits consequent upon mutual association, a "valuable purchase." Most truly it is a valuable purchase if, for the sake of it, man parts with any of his natural rights, which are the first best gift of God, the sources of all his growth, distinction, and happiness. But we regard this whole hypothesis not only as fundamentally wrong, but disastrous in all its influence to the perfect freedom of man. Why resort to the supposition of a natural state, when, in fact, such a state, in the sense intended, never did nor could exist? In defining the rights of man, we must consider his whole constitution—all the laws and relations of his being. Every science respecting human nature, save political, resorts immediately to that nature itself. The physiologist, without fancy or fiction, consults alone the frame-work and organization of man; he observes its structure, notes its workings, marks its adaptations, compares its relations, and then constructs his science on a basis of fact. The metaphysician, regarding himself as the mere spectator or critic, looks into the interior processes of mental action, describes their characteristics, and from the multitude of separate observations, declares the general law. And in the same way, the moral philosopher, the anatomist, and physician proceed. But the political inquirer, not stopping to regard man as he actually is in his present condition, and amid his present relations, flies off to some distant point, begins his inquiries with a fiction, builds a broad system thereupon, and ends, as he must inevitably end, with a fictitious result. Now, man's only truly *natural state* is, when he conforms to all those natural laws which the Creator has instituted in that physical, intellectual, and moral economy in which he is placed. A wild life of savage and solitary wretchedness, of absolute personal independence and isolation, is the most unnatural state in which he could possibly be supposed. It is a condition wholly incompatible with, and repugnant to the dictates and designs of his being. Society is the natural element of humanity—the only element in which it can live, and breathe and move. All its fears, weaknesses, and affections impel it to society in every step of its progress from the cradle to the grave. In our view, indeed, there is a primitive appetite, an original aggregative principle, an inward intuition, over propelling man to an association of some sort with his kind. This principle is manifested and gratified by the incarcerated criminal, for instance, in the absence of every other resource, by solitary converse with the brute creation, or by lending animation to inanimate things, until even "he and his chains grow friends." It is a propulsion which cannot be overcome except under the cruel discipline of years. When thwarted or crossed, it becomes the source of intense pain, and when gratified in the reciprocal interchange of dependance and love, yields the purest and best delight. If to this original tendency of nature, we add our

Digitized by Google

adaptedness to the social state, the instinct of propagation, our numberless social passions and desires, the insatiable yearning after sympathy, the moral conviction of a great law of reciprocal benevolence imposed on the conscience, the capacity of mental and moral expansion which can only be developed by social intercourse, together with the obvious relation of the whole outward world to such an intercourse, it will not be difficult to ascertain man's natural state, or to decide upon the position for which he was designed. Society is his natural state; for, "in it," says Montesquieu, "he was born, and ever afterward remains." The greater its advancement in civilization and refinement, the more nearly does man approach to the perfection of his being. So far from demanding, in order to its enjoyment, the sacrifice of any natural right, it is itself but a great natural right, serving to secure and strengthen others, while it reveals the only limitation the Deity has imposed on unrestricted freedom. The right of another is the limit beyond which one cannot carry the exercise of his own right. Whatever, if allowed, would be destructive of social existence, infringes upon a great common right, and demands immediate reformation or redress. When fraud, injustice, and crime is punished, society only exerts its inherent rights of self-defence. When it adjudicates as in civil cases between men, it exerts the same right of self-preservation or defence; for, if individuals were left to decide on the mode and measure of self-redress, the social arrangement would at once dissolve. Individuals, therefore, do not so much relinquish their rights, as adopt new modes for their exercise, at once consistent with natural liberty and social order. Their rights are held in abeyance, to be more effectively wielded by the superior judgment and power of associated man. When exigencies arise, in which society is forgetful of its trust, as well as in cases too minute for the application of the cumbrous machinery of law, the individual assumes his rights, and relies on his own arm for self-protection and redress. Regarding society as it virtually is, a compact between its members, there are mutual promises or stipulations on either part. The individual promises to abstain from all violation of the rights of others, while society promises to protect him in the full and free enjoyment of his own. These are the high obligations of both—their greatest, supremest duty. A step beyond this, on either part, is an assumption of power, and the infliction of wrong. This distinction is important, as the disregard of it has led to the monstrous abuses under which humanity groans.

Government is the agent of society, the organ through which its purposes are declared and its will executed. It is the instrument by which the few exert the delegated power of the many. Its origin is in the weakness or wickedness of men. To protect the feeble from the strong, the good from the bad, each from all and all from each, is its prominent design. Would all conform to the natural laws of their being, its functions would be exceedingly simple and few. Vice, intolerance, precipitancy, crime of all sorts, create the necessity for complex forms and

Digitized by Google

strong powers of government. The best government is that whose rule of action is simple justice to all. Justice is the supreme, sovereign arbiter of the world—of higher authority than either the edict of royalty, the decrees of party, or the injunctions of law. The state's most indispensable duty is to provide for its impartial administration. Thus fastening to it, by indissoluble bonds, the affinities of every individual and class, it will establish a social union more stable than the hills, and more harmonious than the spheres.

If it be true, then, that men are equal in respect to their rights—that they enter society on common ground—that government is the agent of all—there are momentous inferences which the truth plainly involves.

I. The basis of representation is the person. Neither birth, wisdom nor wealth confers on its possessor an exclusive right to legislative control, or, what is the same thing, an exclusive right to select those in whom the legislation is placed. Power emanates from the people: it is transiently delegated by society to be wielded for its benefit. It is transferred to representatives to guard and facilitate its exercise. Every individual is interested in its use or abuse; for it is his own power relinquished for a moment, with a view to his higher security and good. Property qualifications are but little regarded in these States. The prevailing theoretical doctrine is, the majority of the whole number must rule. Objections to this principle, however sturdily advanced, have fallen, one after another, before the triumphant experiment of our free people. The assertion that the majority will absorb the rights of the minority is about to share the same fate. It will be urged a little while by the adherents of "privileged classes," and will die. It is wholly destitute of foundation or strength. There is no danger to be apprehended from the people, if left to themselves. Though the majority is not always right, probability is in its favor. Its ability to decide in matters of state is more than equal to that of those "better classes" which affect all wisdom and knowledge. It is a common error to overrate our own capacities, and underrate those of others. There is a vulgar pride gratified in depreciating the integrity and information of the great mass. The arrogant vanity of the rich, the haughty pretension of the privileged, the insolence of the unprincipled, the pomposity of the learned, and the inflated conceit of the selfish and superficial "business man" delight to disparage the intellectual or moral claims of "the multitude." They are stigmatized as the lower orders, but a little, if any, removed from the brute; they are spoken of as the wild, ferocious herd; passed by with the rude jest or the scornful look, or at times crushed in the dust like crawling, loathsome earthworms. But there is a native instinct in the general mind more unerring in its decisions than prejudiced instruction—a practical sagacity, which sets the most subtle or far-reaching intellect at naught—the conviction of great truths, which sink deep, deep into the heart, and guide its sympathies and movements aright. So long as the many shall know their rights—while they can distinguish

Digitized by Google

moral rectitude from guilt—while they are judges of the means most conducive to their happiness and growth—and while they may be addressed by every variety of persuasion and appeal, it is no frightful absurdity to rely confidently on their will. Most especially may they be trusted when government is confined by its legitimate bounds. The details of a consolidated government based on unwritten laws, perpetually changing—comprehending an infinity of functions—fettered by a vast variety of checks, balances and restrictions—connected directly with every interest of society—mingling in all the gambling and speculation of trade—entrenching itself behind immense civil, ecclesiastical and military establishments, and operating through a machinery as intricate as the differential calculus, it is true, would puzzle their heads, as they do the most experienced statesmen themselves. But the Democratic creed contemplates no such complicated arrangement. That creed is consistent with itself throughout. It does not construct an engine of adjustments and relations so multiplied and abstruse, that the most practised wisdom is alone adequate to their comprehension. It does not abuse the people for not controlling what is beyond their capacity to understand. It does not hang laws far above their heads, and then Draco like, execute a terrible penalty upon every infringement. While it asserts the competency of the whole to govern themselves, it restricts government to its natural uses; it curtails the number of its functions; separates its action from partial interests; simplifies the mode of its operation, and reduces the principles of legislation to the simplest expression compatible with some form of national organization. It insists strenuously on popular rights, because it believes the popular body sufficient to the discharge of its public duties. There is intelligence enough abroad to answer the purposes required of it. On this point we wish to be understood. Our desire is not to magnify the intelligence of the people; we would rate it at its worth. We admit that men may be deceived, misled, prejudiced, corrupted by flattery, inflamed by eloquence, or aroused by designing leaders into all the excess of tumultuous passion; yet, in the conflict of free thought and free discussion, the evil will cure itself. There is ever in the great mass a power of self-rectification. There is ever intelligence enough to conduct a government rightly framed; to appreciate public measures; to distinguish good and evil; to reward patriotism and virtue, and to rebuke tyranny and vice. Nothing but long outrage and oppression can drive a whole people into insubordination and discord. The convulsions which shake civilized nations are the accumulated results of dreary years of crimes. They are the spasms of distorted and wrenched limbs—the explosion of volcanic fire long pent up, but at last finding vent. Freedom and justice are conservative in all their influence. The majority of a free populace has no inducement to go wrong. They cannot be long deluded. They have no exclusive affinities to cloud their perceptions or warp their judgments. Their whole interest is on the side of order and right. They have no partial or unjust laws to

Digitized by Google

sustain, no privileges to perpetuate, no selfish relations to protect, and no corrupting ambition to gratify. They cannot live at the expense of the few. Their dependence must be upon themselves. Their resources and strength must be drawn from themselves; whilst their frantic excesses, if any, must fall with full severity upon their own heads. Privileged classes, on the other hand, whether their exclusiveness be founded on birth or acquisition of any sort, have always plans of their own to accomplish. Their very existence depends upon the maintenance of their assumed superiority. Their entire interest is centred in the retention of power already possessed, and the usurpation of as much more as can be gained. To this object every effort, open and secret, must be addressed. In this way alone can they live. Their growth is ever an under-current, running counter to the great currents of society. Let them enlarge their sympathies, extend the landmarks of their dominion, and they resolve sooner or later into the general mass, like bubbles into the yesty waves of the sea. Every concession to the multitude without opens broader channels to the escape of power—is a stimulus to additional encroachment—deepens the inroads of aggression. Their safety depends upon their bigoted and unflinching resistance of popular influence. Their wisest policy is uncompromising hostility to innovation in every guise. To retain their integrity unbroken, they must strangle the spirit of reform in the womb; they must crush in the bud every manifestation of liberal feeling; they must chain the wings of thought; muzzle the press; organize a government of the sternest, strongest materials; expand, by corruption and fraud, the ranks of their dependents; draw around them an immense armed force; shut up human speech by the bayonet and sword; and thus add power to power, and heap wrong upon wrong, until the adverse mass, wearied of its burdens and maddened by the agony of long years, bursts every restraint, and dashes in tempestuous billows over the land. Restriction and injustice, in proportion to their degree, are fruitful sources of tumult and distress. The stability and safety of a people corresponds with the extent of their freedom from unequal legislation or unjust control.

II. Again: As government is the agent of society, its operation must be directed to the good of all its members. In this we include more than is commonly meant by that very indefinite phrase, "the general good"—a phrase to which the lives and fortunes of millions have been wantonly sacrificed. The great object of government is to secure every man in the enjoyment of his rights. Beyond this, it should not meddle with the affairs of men. There is provision for the existence and growth of society in our very constitution. It seems to be imagined by many that human nature must be fostered, fondled, or stimulated to exertion by legislative interposition. They forget those great principles at the bottom of that nature which compel the use of every faculty. The injunction to labor there written is far more imperative than human law could make it; for its motives are ever vigilant and active. While

Digitized by Google

a thousand clamorous desires reign in the human breast; while man shall seek his highest happiness; while he shall delight in advancement and conquest; while industry will add to his comfort, and indolence prove the inevitable source of misery and death; no mode of exertion, no means of production, no road to improvement, will be left untried. The movements of human thought are not more tireless than the springs of human action. A curiosity which is never satisfied, an instinct ever effective, appetites more importunate than death, impulses like steeds restlessly panting and champing for the race, are ever urging the human being to additional, accumulated effort. Under this influence, no benefit will be allowed to elude his grasp; every prospect of personal advantage will be readily embraced; every hope of gain will be realized; he will traverse distant seas, explore the wildest woods, face every difficulty, and only cease to act when he has ceased to live. We may rest assured that labor will be put forth whenever it will meet with success, and capital will be applied where it shall command the best return. The agency of government is obviously not required here. The movings of self-interest are too powerful to need extraneous aid. The interference of legislation will only blind its eyes, and diminish its strength. It will infallibly prove a burden and a curse. From the necessity of the case, it must ever be partial; and if so, it is an infringement of natural right, an abandonment of the first principles of social union, a perversion of the clearest doctrines of science, a usurpation of power, and the infliction of the grossest wrong. The form in which it is manifested cannot alter the fact. Whether it be done by granting monopolies of any branch of trade, by conferring reward and distinction on a chosen few, by deputing privileges of an honorable or commercial sort, by yielding facilities to any department of business, by forcing industry into unusual channels, by imposing restraints on particular interests, by subjecting certain men to liabilities from which other men are exempt, or by fostering the wealth of some classes at the expense of the the rest, it is equally odious and unjust. In every shape, these restrictions are hostile to the plainest rights of person and property, prejudicial to the growth and destructive of the peace of society. We conceive that every man has a right to employ his productive means, in whatever they consist, in a mode to ensure the largest returns, or most consistent with his notions of propriety. His only limit is the regard which is due to the rights of his fellow men. The faculties of both body and mind were given for this purpose. The strongest laws of his nature, and every condition of his being, have reference to this result. To labor in the vocation in which he is most apt, to apply his agency where it may purchase the best recompense, or to choose that form of exertion most consistent with his highest good—the enjoyment of physical comfort and the gratification of mental and moral wants—it is evident to the commonest sense, is the chief design of the economy in which he is placed. The interposition of authority may be called government, but is in fact

Digitized by Google

robbery and fraud. It despoils him of property to which he has the firmest claim which reason or justice can give. In form of law, it abrogates the highest law, and makes the grossest tyranny the daily duty of the State. It strips industry of its motive, by disturbing the amount and certainty of its reward. It takes from enterprise half its energy, by forcing it into those unnatural channels where its efforts are fruitless, or, if successful, invariably spasmodic and short-lived. The spirit of commerce is crushed by the mountains of weight which are laid upon it; all its departments lumber sluggishly along, or waste their strength in ineffectual struggles for relief; or, excited by unhealthy stimulus, the body politic staggers under intoxication, to fall the weak, miserable victim of debauchery and excess. One portion of the community is bled to the last stages of depletion—another is pampered to the point of plethora and apoplexy; or both, shaking under the inconstant attacks of alternate health and disease, are soon exhausted of strength, and die. Thus it creates unnecessary distinctions. In the one case, it raises a class to an unnatural elevation; in the other, depresses it far below the position it was destined to attain. It fixes one portion of society in forced dependence upon another—makes over the prosperity of the many to the arbitrary disposal of the few, and frequently hangs the necessaries of life on the wings of speculation and chance. Overgrown wealth, with its ever attendant miseries of luxury, oppression, and vice, shoots up in rank luxuriance, amidst the barrenest poverty and distress. The splendid palace, glittering in gold, vocal with the shouts of merriment, looks proudly down on hovels where sit cheerless, haggard hunger and heart-withering care. An aristocracy of wealth most odious of all—proud, overbearing, insolent, and ignorant—strikes deep root into the soil. The poor, through bleak days of wretchedness, are filled with jealousy and discontent. The opposition of mutually dependent classes festers into hate. Party contests, which should ever be the conflict of great principles, degenerates into the acrimonious strife of personal interest; and society is dissevered and rent, whilst its morals perish in the same common catastrophe which sinks its prosperity and peace.

III. As the will of the whole people is the source, and their good the end, of government, it is manifest they may at any time effect its change. They may accomplish any revolution which their growing civilization demands. They may adapt the structure of all its departments to whatever state public morality and intelligence requires. Their naked right none but the sturdiest adherents of unrelenting despotism will deny. But in the practical determination of a change, parties will inevitably arise; they will arrange themselves under the operation of necessary influences and principles springing from the diversity of human nature. The interests fostered by established systems, through the natural instinct of selfishness, will speedily form themselves into conservative bands. Their dependents, through all the ramifications of society, will hasten to swell the same ranks; while the naturally timid, dubious as to

Digitized by Google

the virtue of their fellow-men, averse to change, conjuring up dismal prospects of future anarchy and misrule, will enlist under the same banners. To these will be gathered the wealth and fashion which draws its existence from old customs and laws—the privilege which subsists on ancient error—and the talent which, accustomed to profound veneration, never travels beyond a beaten track. They will be met, on the other hand, by the untutored yet unsophisticated mass, and those bold, independent men of genius who intuitively seize the right, and labor with fearless self-denying energy for human progress. The contest will be intense, as the interests and principles involved are great. As it embraces the great doctrines of science, the first-truths of government, the welfare of nations, and the destinies of a race, a long warfare will infringe on the civilities of life, will break the restraints of law, will estrange friends, will throw the sword into families, and give rein to the wildest excesses of passion. Yet it is not difficult to tell where victory will perch. The rights and happiness of the many will prevail. Democracy must finally reign. There is in man an eternal principle of progress which no power on earth may resist. Every custom, law, science, or religion, which obstructs its course, will fall as leaves before the wind. Already it has done much, but will do more. The despotism of force, the absolutism of religion, the feudalism of wealth, it has laid on the crimson field; while the principle, alive, unwounded, vigorous, is still battling against nobility and privilege with unrelaxing strength. It is contending for the extinction of tyranny, for the abolition of prerogative, for the reform of abuse, for the amelioration of government, for the destruction of monopoly, for the establishment of justice, for the elevation of the masses, for the progress of humanity, and for the dignity and worth of the individual man. In this great work it has a mighty and efficient aid. Christianity, self-purified and self-invigorated, is its natural ally. Christianity struck the first blow at the vitals of unjust power. The annunciations of its lofty Teacher embodied truths after which the nations in their dim twilight had long struggled in vain. They were addressed to the deepest and holiest aspirations of the soul. They kindled in humanity the dormant consciousness of its native worth, imparted to it the sense of undying strength, infused into it the conviction of immortal capacities, and shed around it the light of a glorious destiny. Spurning the distinctions of policy, buffeting implacable hatred, uprooting mountains of error, they penetrated the remotest hearts, revived the smouldering sparks of a new life, and fastened the sympathies of a wide brotherhood. These potent doctrines were the inherent dignity, the natural equality, the spiritual rights, the glorious hopes, of man. They addressed the individual apart from social position or rank. Piercing the thick obscurity which ages of darkness have gathered—removing the obstructions of heaped-up falsehood and fraud—they speak to oppressed, down-trodden man. They speak to him in a voice of infinite power; they touch the chords of sensibility, and expand his soul to free, generous

Digitized by Google

action; they awaken hope; they administer consolation; they cherish the sense of personal worth; they strengthen faith in truth; they reveal the highest excellence; they demand unceasing progress; they worship the soul as of higher importance than all outward worlds.

The movement of man, then, must be onward. The virtue of earth, and the holiness of Heaven, are pledged to his support. May God hasten the day of his complete final success! Then will the downcast look-up, then will the earth be glad, then will a broad shout of rejoicing break through the concave of heaven, and be echoed back from the thrones on high.

APOSTROPHE TO OCEAN.

BY THE AUTHOR OF "THE YEMASSEE," "ATALANTIS," ETC.

I.

I hear thee, through thy voices, mighty sea,
  I watch thee, through thy billows, never stayed;
Thine is the reckless rule of destiny,
  Thine is the might, in majesty arrayed,
  That mocks the ambitious—makes the frail afraid,
Laughing alike at human strength and prayer,—
  Rolling thy mountain waves o'er hearts that made
Their trust in thee to waft them to the dear,
Who still survey thy form in hopefulness and fear.

II.

The awe that is unbounded fills my soul
  As I behold thee—limitless and lone,
Driving forever on, with no control,
  Keeping a march that never may be done
  While man may watch thee, and the reverend sun—
Direct thy course along the mighty deeps;
  Thou seek'st a goal that never may be won,
A race for age renewing; seldom sleeps
Thy wing that never tires, thy form that never creeps.

Digitized by Google

III.

The frail barque bears me bounding o'er thy breast,
  Yet am I not thy master. In my hand
I grasp no bridle which can make thee rest,
  No curb which may subdue thee to command,
  No scourge to make thee tremble, or to stand!—
Thou laugh'st at human conqueror, though thy mood,
  The mood of power in sport, at moments bland,
Moves thee to yield a pathway through thy flood,
To him who seeks for sway through darker seas of blood.

IV.

Upon thy shores he marshals his array,
  His soul exulting in his numerous bands,
He pants to give the signal for the fray,
  For conflicts which shall redden all thy sands
  With human gore, and drain from distant lands
Their strength and beauty. A barbaric cry
  Begins the work of death; keen, clashing brands
Strike to the hearts of kindred; in the sky
Hurtles an iron storm from devilish enginery.

V.

Through the long day the work of death proceeds;
  The terrors that once shook, familiar now,
The men of blood grow sportive in their deeds,
  And rush where rage, with grim and ghastly brow,
  Shakes his red locks, and aims his cruel blow;
With equal fury, a superior hate,
  And better skill and strength, he meets a foe
Who stops him in his path. In scorn, elate,
The conqueror strides o'er necks and does the work of fate!

VI.

Yet, Ocean! thou arisest on his path,
  And half revengest all his deeds of wrong;
His navies vainly seek to fly thy wrath,
  Thou hear'st no threat of power, thou fear'st no thong,
  Nor will thy rage permit the conflict long!
Thy trophies are oblivion! thou hast set
  Thy seal, in mountains, o'er the fierce and strong;
Vain were the toils of valor! never yet
Had force such force o'ercome—had foe such foeman met!

Digitized by Google

VII.

Earth covers not her victims—man may slay,
  But there the proofs of human crime remain;
No friendly hand, to hide them from the day,
  Conveys the bloody corses of the slain
  To the veil'd walks of silence, from the plain
Late shaken by their thunders! but thy power
  Needs no appeal for Heaven's benignant rain,
To cleanse from trodden sand bruised leaf and flow'r,
And shuddering eyes of earth, the blood-proofs of thy hour!

VIII.

The winds that gather on thy breast by night,
  Bear to the distant cities all the tale
Thou deign'st them, of the forms which in their sight
  Were things most precious! Thou hast heard the wail
  That follow'd thy dread tidings, and thy gale
Has mock'd them, and has new-aroused their fears
  For others, like the lost ones, who make sail,
Trusting thy mercies! Many a watcher hears
Thy storms that rise by night, with trembling and with tears.

IX.

The thin plank only keeps me from thy grasp,
  The thin sail only lifts me o'er thy breast;
Thy mighty arms seem stretching now to clasp,
  Thy mighty passions, in thy roar exprest,
  Seem toiling now and bounding to arrest
The flight of thy new victim!—madly glare
  Thy vengeful eyes of terror,—thou would'st wrest
Thy prey, despite the mercy which would spare,
The mercy, born of love, sole-sov'reign every where!

X.

Still mighty, though thy wildest mood be stayed,
  Thou wak'st no less my homage, that I feel
Thy billows baffled, and thy storms, that played
  With wrecks, subdued to airs of May that steal
  Around me with a blessing, and reveal
Visions of gentlest climes, sweet streams that glide
  Through groves and broad savannahs, where the seal
Has never shut the fountain—where the pride
That vexes human hopes, is forced from nature's side.

Digitized by Google

XI.

And peace is o'er the land, even like a veil
  That holds the freshening waters; like the dove,
Unharm'd and harmless, that descends the dale,
  And glides the social emblem of the grove,
  Whose inmates, in their attributes of love,
Acknowledge a superior law to ours;
  There still, the sole communion helps to prove,
The principle of promise for our bowers,
Love, which alone can charm the serpent from their flowers.

XII.

That love shall spell thy waters, mighty sea!
  Its voice of power is on thee and confessed;
Thy tossing limbs are fettered. Thou shalt be
  Subdued, even as an infant sunk to rest,
  Thou, that with giant limbs and heaving breast
Strove with the heavens, and, leagued with storm, arose
  Like one with fiendish enemies possessed,
Mad with unmeasured wrath, and prompt for blows,
Denied repose thyself, denying all repose.

XIII.

Roll on, roll on! thy billows bear me far,
  And if my bones must whiten in the wave,
Beneath the influence of malignant star,
  I would not ask from fate a kinder grave,
  Nor offer up the homage which might save!
It might be, longer life were longer wo,
  And he who still hath waged with Fortune war,
Might, safely render'd to his home below,
Find young affection's tears had long since ceased to flow.

Digitized by Google

NAPOLEON LOUIS BONAPARTE.

BY A FRIEND.

(Concluded from the January Number.)

On the morning after his arrest, Napoleon Louis was allowed to write the following letter to Queen Hortense:

"STRASBOURG, *November 1st*, 1836.

"MY DEAR MOTHER: You must have been very anxious at not hearing from me, believing as you did that I was with my cousin. Your anxiety will increase when you learn that I am at Strasbourg, where I have attempted an insurrection that has failed. I and several officers are in prison; it is only on their account that I grieve. When I left Arenenberg I was prepared for the consequences which I knew must ensue from the failure of my enterprise. Do not weep, dearest mother. I fall the victim of a noble cause; in after years, the world will do me justice and pity me. Yesterday, at six o'clock in the morning, I presented myself to the Fourth Artillery, who received me with cries of "*vive l'empereur*," and instantly joined me. The Forty-Sixth of the line resisted us. We were arrested in the court-yard of the barracks. Fortunately no blood was shed; that reflection is a great consolation to me. Have courage, my dear mother; I will be worthy of the name I bear to the last. Mr. Parquin is among those who have been arrested. Pray, have this letter copied for my father; it will contribute to calm his anxiety."

As Prince Napoleon had every reason to suppose that he would be brought to trial, he busied himself in drawing up his defence, which was found unfinished in his prison. It ran thus:

"GENTLEMEN:—I do not intend to defend my life! I knew that I risked it when I crossed the French frontier, but I am anxious to defend my honor and my rights. Yes, gentlemen, my rights!

"After the revolution of 1830, I requested permission to return to France as a private citizen. I was repulsed. I desired to be allowed to serve as a common soldier. No notice was taken of this request. I have been treated as a pretender, (aspirant) I have acted as one!

"Do not believe, however, that mine was only the paltry ambition to fill a throne. I aspired to something higher. I wished to assemble a national Congress, which, consulting the wishes of each man, would have made French laws, without borrowing constitutions that are not suited to us from other countries. The Emperor accomplished his mission; he prepared the nations for liberty, by introducing the principle of equality into their customs, and by making merit the only means of rising. Every government that has succeeded that of the Emperor has been exclusive; one rested wholly on the nobility and clergy, another on a *bourgeoise* aristocracy, a third solely on the working classes. The government of the Emperor rested on the people, as a general on his army. The government of Napoleon received the popular sanction four times. In 1804, the French nation recognized the hereditary rights of the Imperial family by four millions of votes. Since that period, the nation has not been consulted. As the eldest of the Emperor's nephews, I was justified in considering myself, not as the representative of the empire, for within twenty years many ideas have changed, but as the representative of the *sovereignty of the nation*. I have always considered the eagle as the emblem of the rights of the people, not of those of a family.

Digitized by Google

"Animated by these ideas, and by the justice of my cause, I exclaimed, 'those princes who consider themselves of the Right Divine can find men to die for them, in order to reëstablish abuses and privileges, and must I, whose name recals so much glory and liberty, must I die in exile?' 'No!' answered my brave companions in misfortune, 'we will conquer together in the cause of the French nation, or perish with you!' Do not suppose that it was my aim to imitate the last of the Roman Emperors, who was raised to-day on the bucklers of the soldiery, and overthrown to-morrow. I availed myself of the aid of the army in attempting a revolution, as this mode of action offered the most chances of success; and besides I was anxious to avoid the confusion and tumult that usually attend on social conflicts. I made a great mistake in the execution of my project, but it is little to the honor of our old soldiers that their hearts did not bound at the sight of the eagle, the symbol of their past glory. They once more beheld that banner which they had planted from the Tagus to the Moskwa, that banner which they had watered with their blood— * * * they beheld it, and they trampled it beneath their feet!!! They told me of their new oaths, forgetting that it was the presence of one million two hundred thousand foreigners which had released them from that they had taken to the Imperial banner. A principle that has been annulled by force can only be reëstablished by force. I believed that I had a mission to fulfil; I have acted accordingly."

Contrary to general expectation, instead of bringing the Prince to trial, the government secretly determined to send him to the United States. "On the evening of the ninth of November," says Napoleon Louis, in a letter to his mother, "I was informed that I was to be removed to another place of confinement. On leaving my room, I found General Voirol and the Préfect waiting for me. They led me to their carriage without telling me whither I was to be conducted. I insisted upon remaining with my companions in misfortune, but I found that the government had decided otherwise. On reaching the hotel of the Préfecture, I saw two post-chaises. I was placed in one, with Mr. Guinat, the commander of the gendarmerie of the Seine, and Lieutenant Thiboulot; in the other were four non-commissioned officers. I cannot describe the pain I felt at learning that I was to be separated from my co-accused; that I was to abandon men who had risked their lives for me; that I was not to be allowed to explain my ideas, to defend my intentions.

The two officers who accompanied me had served in the time of the Empire, and were intimately acquainted with Mr. Parquin; I might have imagined that I was travelling with friends. At two o'clock on the morning of the eleventh, we arrived at Paris, and alighted at the Préfecture of Police, where I was most kindly received by M. Delessert. He told me that you had come to France to implore the King's clemency in my behalf, and that I was to set out in two hours for L'Orient, from whence I was to sail for the United States."

M. Delessert was right. At the time the Prince wrote the letter from which we have just given an extract, Queen Hortense was within a few miles of Paris, at the Château of the Duchess of Ragusa. Madame de Salvage, who had accompanied Queen Hortense from Arenenberg, proceeded to Paris, where she obtained an interview with Count Molé, who assured her that the Prince would not be tried, but would be conveyed to

Google

the United States. Queen Hortense was requested to pledge her word for her son's remaining in that country, but she refused to do so, saying, "that he, alone, was master of his actions." Madame de Salvage was ordered to leave Paris as soon as possible. She hastened to rejoin Queen Hortense, to whom she was devotedly attached, and before three days had elapsed, they had recrossed the frontier.

Before leaving Paris, Napoleon Louis was allowed to write the following letter to Queen Hortense:

My Dear Mother: Your tenderness is proved by the step you have taken. You thought only of the danger in which I was placed, and not of my honor, which compelled me to share the fate of my companions in misfortune. It gives me the greatest pain to be obliged to abandon men whom I have led to ruin, when my presence and my testimony might have influenced the jury in their favor. I have written to the King to entreat him to show mercy to them; it is the only favor I ask. I am about leaving France for America, but, my dear mother, if you do not wish to increase my affliction do not follow me, I entreat you.

"Will you see that the prisoners of Strasbourg are in want of nothing. Take care of the sons of Colonel Vaudrey, who are at Paris, with their mother. I should be resigned to my fate if I knew that the lives of my companions would be spared; but to feel that I had been the cause of the death of those brave men would give me everlasting pain.

"Farewell, dearest mother. Return to Arenenberg. Do not attempt to join me in America; it would make me too unhappy. Farewell."

The Prince was so anxious about the men from whom he had been separated, that, previous to his departure, he wrote to several other persons concerning them. One of his letters was quoted, at the trial of the prisoners of Strasbourg, by the late Mr. Parquin, who, although a friend to the present government, could not refrain from exclaiming: "Do you think it proper, do you think it generous, thus to expatiate on the faults of the Prince in his absence. If, by means of the press, the singular language you have held should reach his ear, would he not have cause to complain; would he not exclaim: 'your government would not allow me to appear before its tribunals; and now that, contrary to my wishes, I have submitted to its orders, now that I have left my country, the instruments of the law are allowed to calumniate me. It is the object of the government to ruin me in the opinion of the French, whose confidence and esteem are to me invaluable. Let such clemency be revoked! I will not accept it at such a price. Death is a thousand times preferable to life with dishonor.' What generous mind could misunderstand this noble language? I am happy in being able to give France a more favorable opinion of Prince Napoleon. He was suddenly removed from prison. He was taken to Paris, where he was allowed to pass a couple of hours to rest after the fatigues of the journey, and to prepare for a long voyage. How did the noble young man employ the time thus allotted him? He could not forget that he had left his companions under the weight of a terrible accusation. He was anxious to do all in his power to assist them. He began a letter dated Paris, November eleventh, but he had not time to conclude it immediately. The latter part of the letter

Digitized by Google

bears the date of L'Orient, November fifteenth, for he would not put his foot on board the vessel, which was to take him far from France, without having done all he could to defend those who had compromised themselves for him. This letter ran thus:

"Sir: Notwithstanding my desire to remain with my companions in misfortune, and to share their fate; notwithstanding my protestations on this subject, the King, from a kindly motive, doubtless, has ordered that I should be taken to L'Orient, and from thence to the United States. Although much touched by the King's generosity, I am deeply afflicted at leaving my companions, for I believe that my presence at the bar, and my testimony, would have influenced the jury in their favor, and shed light on many important circumstances. As I am deprived of the consolation of being useful to the men of whose ruin I am the cause, I must confide to a lawyer what I am not allowed to tell the jury. We are all guilty for having taken up arms against the government, but I am the most so, for I had long meditated effecting a revolution; I snatched my companions from an honorable position in society, and induced them to risk all the dangers that must always attend a popular commotion. I seduced them by speaking to them of all that was most likely to move the heart of a Frenchman. They told me of their oaths. I reminded them that in 1815 they had sworn fidelity to Napoleon II. and his dynasty.

"The government has acted generously toward me. It has considered that my being an exile, my love for France, and my relationship to the Emperor, were excuses for me.

"Can the jury do otherwise than follow the road pointed out by the government?"

Napoleon Louis arrived at L'Orient on the night of the fourteenth. He was conducted to the citadel, where the drawbridges were instantly raised, and all communication with the town strictly prohibited. It was while at L'Orient that he wrote the following letter, which does not appear to have undergone an official examination, to Mr. ————.

"My Dear ————. I cannot leave Europe without expressing my thanks to you for your generous offer of serving me in the painful circumstances in which I have been placed. I received your letter while in the prison of Strasbourg, but have not been able to write you before. I cannot tell you how much I lament not being able to share the fate of the officers who were arrested with me. My enterprise having failed, my intentions being unknown, my fate (although contrary to my wishes) having been different from that of those whose prospects I have ruined, I shall be considered as mad, as ambitious, and as base. In the event of a failure I was prepared for the two former epithets, but as for the latter, it is more than I can bear!

"As soon as the wind is fair I shall sail for New York. I shall endeavor to submit calmly to this new exile; but I am in despair at leaving those whose devotion to the Bonaparte cause has been so fatal to them. I could have wished to be the only victim.

"Farewell, my dear ————, my compliments to Mrs. ————. I shall never forget the proofs of friendship you have given me.

"Yours, affectionately, "N. L. B."

A fortnight after the Prince's departure, the prisoners of Strasbourg were tried before the court of assizes of the Lower Rhine, and dismissed. We refer those who may wish to learn the particulars of this trial, to a little work, entitled: *L'insurrection de Strasbourg*, by Eugene Roch.

Prince Napoleon contrary to the expectations of his friends, was obliged to pass some months on board the vessel in which he sailed, and did not

Digitized by Google

arrive at New York, before the month of April. The following letters, written by him during the passage, and after his arrival at New York, will, we believe, not be read without interest.

"In sight of the Canary Isles, *December* 14*th*.

"Every man has within himself a world composed of all that he has seen and heard, and to which he constantly recurs, even when wandering in a foreign land. I scarcely know which is the most painful, the recollection of misfortune, or that of happiness that has fled forever. * * * *

"The winter is over; the trade winds have succeeded the storms, so that I am enabled to pass most of my time on deck. I reflect on all that has happened; I think of you, and of Arenenberg. All I asked two months since, was never to return to Switzerland; at present were I to give way to my feelings, my only wish—would be to return to my little room, in that beautiful country, where it appears to me that I ought to have been so happy. Alas! those who feel deeply are condemned to pass their days in the wretchedness of inaction, or in the convulsions of painful sensations."

"*January* 1, 1837.

"My Dear Mother: This is the first day of the year. I am in another hemisphere, separated from you by a distance of fifteen hundred miles. Fortunately thought clears this expanse, and in less than a second I am near you. I beg you to forgive me for having given you so much pain, and to believe in my tenderness and gratitude.

"This morning, all the officers waited on me in a body to wish me a happy New Year. I was much gratified by this mark of attention. At half past four we sat down to table; as we were seventeen degrees of longitude more to the west than Constance, it was at that time seven o'clock at Arenenberg, and you were probably likewise dining. I drank in thought to your health, you doubtless did the same for me, at least I flattered myself that you had. I also thought of my companions in misfortune. Alas! I often think of them. I reflect that they are more unhappy than myself, and that thought makes me most wretched."

"*January* 10.—We have just arrived at Rio Janeiro; the view of the bay is most beautiful; I shall sketch it to-morrow. I hope that you will soon receive this letter. Do not think of joining me; I have not yet determined where I shall fix my abode. Perhaps, I shall decide to reside in South America. Farewell, dearest mother. Remember me to our old servants, and to our friends of Constance and Thurgovia. I am quite well."

"*April*.—I learned that my friends were acquitted as soon as I landed at New York. You may imagine how happy I felt at this intelligence.

"When I left the frigate from whence waved the tricolored flag, where so much kindness had been shown me, I shed tears as if leaving my country for a second time. The pleasure of recovering my liberty did not compensate for the grief I felt at quitting my countrymen and the French flag.

"I have read all my papers. I thought that there was as much generosity as policy in the conduct of the government towards me. I now see that it was only politic. I have been basely calumniated when I could not defend myself. I appeal to the testimony of General Voirol, of Messrs. Guinat, Thiboulot, and Delessert. They will say that I protested against being separated from my companions. I desired to remain in Strasbourg, consequently no conditions could have been required from me when I received my liberty.

"How has my mother been treated? Why was she not informed that I was to be taken to Rio Janeiro. I know how much anxiety she must have suffered."

Many persons have accused the Prince of ingratitude, because he says in the above letter, that the conduct of the government was more politic than generous. It must be recollected, that in the letter quoted by Mr. Parquin, he expressed himself much touched by the King's generosity.

Digitized by Google

This change of opinion is accounted for by Mr. Laity, in his pamphlet on the insurrection of Strasbourg. Mr. Laity states that the officers who joined Napoleon Louis on the thirtieth of October, and who, when the enterprise failed, made their escape, had taken measures in case the Prince was condemned, for saving his life. Several superior officers assembled at Paris, and agreed to send a deputation to the King, to protest against the young prince being brought to trial. One of them having observed that it was unnecessary for them to commit themselves, unless in case of absolute necessity, they postponed their address to the King, which ultimately proved unnecessary. Thus this fact was not generally known. Several members of the Chamber of Peers, who feared being called upon to judge Napoleon Louis, wrote to Louis Philippe to protest against his being tried. Lastly, the garrison of Strasbourg had formed a conspiracy, the object of which was to release Prince Napoleon, should he be condemned.

Such were the reasons which induced Louis Philippe to believe that it was prudent to be merciful, and which justified the Prince in thinking, as soon as he had learned the particulars, that it was not to the magnanimity of the government that he owed his life and liberty.

Napoleon Louis had been but a short time in America, when he received an alarming account of the state of his mother's health. As he had never given his promise to remain in the United States, he could feel no hesitation in returning to Europe. He hastened to Arenenberg, where he had the sad consolation of being with his mother during her last moments. Queen Hortense, as is well known, expired on the fifth of October, 1837.

From that period little or nothing was heard concerning the Prince, until the publication of Mr. Laity's pamphlet, which was written under the eye of Napoleon Louis, and was calculated successfully to refute the calumies of which he had been the object. It traced the line of conduct he had pursued up to the thirtieth of October, and summed up the reasons which induced him to suppose that the French nation desired a change of government. A week had elapsed after the publication of this pamphlet, when Mr. Laity was arrested, and the government determined that he should be tried by the Chamber of Peers. The following letter was written by Prince Napoleon as soon as he heard of his friend's arrest.

"ARENENBERG, *July 2nd*, 1838.

"MY DEAR LAITY: I hear that you are to appear before the Chamber of Peers because you have been generous and devoted enough to relate the particulars of my enterprise, to justify my intentions, and to refute the calumnies of which I have been the object. I do not comprehend the importance the government attaches to preventing the circulation of this pamphlet. You know that in authorizing you to publish it, my only object was to refute the base calumnies heaped on me during the five months I passed in prison and at sea. My honor and that of my friends required that we should convince the public that it was not mad enthusiasm which led us to Strasbourg in 1836. It has been said that your pamphlet is a new conspiracy; on the contrary it justifies me from the reproach of ever having conspired, and you state, in the first pages, that we waited for nearly two years, before publishing all that relates to me, in order that men's minds might be more calm and that they might

Digitized by Google

judge without hatred and without prejudice. If, as I hope, a spirit of justice animates the Chamber of Peers, if, as is required by the Constitution, it is independent of the executive power, you cannot possibly be condemned; for I cannot repeat too often your pamphlet is not a new appeal to revolt, but the simple and true statement of facts which have been misrepresented. I have no protection in the world but that of public opinion, no support but in the esteem of my countrymen. If it is impossible for my friends and myself to defend me against unjust calumny, I shall consider my fate as most cruel. You know my friendship for you, and will comprehend how much it grieves me to think that you may be the victim of your devotion to me, although I am sure that with your noble character you will suffer with resignation. Say, that in authorizing this publication, it was not my intention to disturb the tranquillity of France, nor to rouse half-extinguished passions, but to show myself to my countrymen such as I am, not such as I have been represented. You will doubtless be asked, where you gathered the assertions you make. You may say that you have them from me, and that I certify on my honor that they were made me by men whose veracity can be depended on. You will be asked, where is the Bonaparte party? Answer, the *party* is no where, the *cause* every where. The party is no where, because my friends are not enrolled, but the cause has partizans every where, from the garret of the workman to the council of the King, from the barrack of the soldier to the palace of the marshal of France; republicans, *juste-milieu*, legitimists, all those who wish for a powerful government, real liberty, and an imposing national position, all these are Bonapartists, for the imperial system was not a *factitious* imitation of the constitutions of England and America, but the formula of the principles of the revolution; it represented hierarchy in democracy, loyalty in the law, merit rewarded; it was, in short, an immense pyramid with a vast base and a lofty summit. If, at some future day, the present government should be overthrown, and the example of the last fifteen years warrants us in making this supposition, and if, accustomed as different parties have been during the last twenty-three years, to brave every government, they should sap all the foundations of the social edifice, then, perhaps, the name of Napoleon might be an anchor of safety to all the truly patriotic and generous in France. It is on this account, as you know, that I am anxious the honor of the Eagle of the thirtieth of October should remain untarnished, notwithstanding its defeat, and that the nephew of the Emperor should not be mistaken for a vulgar adventurer.

"Adieu, my dear Laity, I should still hope for justice were not the interests of the moment the only maxim of parties."

The Chamber of Peers sentenced Mr. Laity to pay a fine of five thousand francs, to five years imprisonment, and the surveillance of the police for life; and the French government, affecting to consider his pamphlet as an act of revolt, seized upon this occasion to demand the expulsion of Prince Napoleon from Switzerland. The Duc de Montebello, in a note to the Federal Directory, dated August first, says: "It is well known that Arenenberg is the centre of intrigues, which my government neither can nor will tolerate. It is in vain that the Prince would deny it. The works he has caused to be published, both in France and Germany, and that which the Chamber of Peers has recently condemned, prove that his object in returning to Europe was not alone to perform the last duties toward a dying mother, but to renew attempts and to exhibit pretensions which we now see he never intended to resign." We make no comments on the heartlessness with which Mr. de Montebello, alludes to the death of Queen Hortense; we will only observe that, had he given himself the trouble to read such of the letters of Napoleon Louis as were pub-

Digitized by Google

lished in the French journals, he would have discovered earlier that the Prince had never repented going to Strasbourg, and that his defeat had not caused him to change his opinions. As soon as the French government had discovered that the Duc de Montebello's note had produced no effect on the Swiss, and that not one member of the Diet had voted for the Prince's expulsion, Count Molé wrote M. de Montebello that should the Swiss persist in their refusal to expel Louis Bonaparte, he must demand his passports.

The Grand Council of Thurgovia now assembled, and Mr. Kan, one of the members, opened the sitting by reading Count Molé's despatch. He then informed the council that Austria and Prussia had notified their adhesion to the demand of the French government. The following letter from Prince Napoleon Louis, was then received by the council:

"GENTLEMEN:—If I now address you, it is in order to rectify certain facts in your eyes, and to give you a proof of my confidence and of my esteem. I returned to Switzerland a year since, with the firm determination to remain a stranger to every intrigue. My resolution has not changed, but I never intended to purchase repose at the expense of my honor. I had been basely calumniated; facts had been perverted; I permitted a friend to defend me. This is, as far as I know, the only political step which has taken place since my return, but the French ministry, to attain its end, still continues its false assertions. They say that the house where my mother has but just died, is a centre of intrigues. Let that be proved if it be possible. I positively deny it; my intention is to remain quiet in Thurgovia, and to avoid doing anything that could destroy the friendly relations of France and Switzerland. To have a new proof of the falsehood of the accusations of the French government, you need but read the articles that have appeared of late in the ministerial journals; you will see that not satisfied with persecuting me in my retreat, they do their utmost to make me appear ridiculous, by circulating the most absurd falsehoods concerning me.

"Gentlemen, and members of the Grand Council, I address myself to you, with whom I have till now lived as a friend and as a brother; you will tell the other cantons the truth respecting me. The foreign invasion, which, in 1815, overthrew the Emperor Napoleon, led to the exile of all the members of his family. Consequently, from that period I had legally no longer a country, when, in 1832, you conferred on me the rights of citizenship in this canton. This, then, is the only right I possess. The French government, which maintains the law that considers me as civilly dead, has no occasion to address itself to Switzerland to know that it is only in Thurgovia that I have the rights of citizenship. When I am to be persecuted, then alone the government recognizes me as French; at Strasbourg I was represented by the Procureur General as a foreigner!

"Gentlemen, I think that I may venture to say that my conduct during the last five years proves that I know how to appreciate your gift. If, to my great regret, I should now become a cause of agitation to Switzerland, the fault is not mine, but that of those who have declared pretensions which are contrary to justice and the rights of nations."

After some deliberation the Grand Council of Thurgovia declared to the Diet that the assertions of the French government were false, and that consequently they could not, consistently with their honor, expel the Prince. Although the members of the Diet knew that in case of a refusal to accede to the demand of the French government, Switzerland would be exposed to war, the majority voted in favor of Napoleon Louis.

Digitized by Google

The French government, finding that no menaces would induce the Swiss to banish the young prince from the country, where he had passed so many years, ordered its troops to advance to the frontier. War now seemed inevitable, but Napoleon Louis ended all difficulties by declaring his intention of leaving Switzerland; in the following letter addressed to Mr. Anderwert, the President of the Lesser Council of Thurgovia:

"SIR:—When the note of the Duke of Montebello was addressed to the Diet, I did not choose to submit to the exactions of the French government, for I wished to prove by my refusal to leave Switzerland that I had returned to Europe without breaking any promise, that I had a right to reside here, and that I should find assistance and protection. During the last month Switzerland has evinced by her energetic protestations, and by the decisions of the Grand Councils, that she was ready to make the greatest sacrifices in defence of her dignity and of her rights. She has done her duty as an independent nation; I shall do mine, and remain faithful to the voice of honor. I may be persecuted, but never abused.

"The French government having declared, that the refusal of the Diet to listen to its demand would the signal of a conflagration of which Switzerland might be the victim, I must leave a country where my presence is the subject of such unjust claims, and might be the pretext of such great misfortunes!

"Will you have the goodness to inform the Federal Directory that I shall leave as soon as I have obtained from the ambassadors of different powers the passports which I require, in order to proceed to some place where I may find a safe asylum. By thus voluntarily leaving the only country in Europe where I have found support and protection, by leaving the place which so many events had rendered dear to me, I hope to prove to the Swiss, that I was not unworthy of the marks of esteem and affection they have given me. I shall never forget the noble conduct of the cantons which have pronounced in my favor. The recollection of the generous protection which the canton of Thurgovia has extended to me, will remain deeply engraved in my heart. I hope that this separation may not be everlasting, and that the day will come when, without compromising the interests of two nations, who ought to remain friends, I may return to the asylum which twenty years residence and acquired rights had led me to consider as an adopted country. I beg you, Sir, to express my gratitude to the Councils, and to believe that the hope of saving Switzerland from all annoyance, is the only thought which can soften the regret I experience in leaving her.

NAPOLEON LOUIS BONAPARTE."

With the departure of Napoleon Louis from Switzerland, ends our task, which an early enthusiasm for Napoleon, and a deep interest in the misfortunes of his family, united to a natural disposition to sympathize with the persecuted and the oppressed, induced us to attempt. We venture to hope, that some persons who have hitherto judged the Prince from the portraits drawn of him by party spirit will, after reading these pages, do justice to the nobleness of his character, and the purity and loftiness of his intentions.

In admitting the above paper to the pages of the Democratic Review, the duty cannot be disregarded of disclaiming the responsibility, for all its views and sentiments, which might seem to be implied in its simple silent publication and endorsement. Contrary to a general rule in regard to papers of such nature, we have been induced, by the interest,

Digitized by Google

and evident authentic character, of the narrative, to insert it notwithstanding the fact that it was received anonymously, no clue being afforded by which the author might be known. Of the character of the Strasbourg enterprise, and the grounds on which the gallant young adventurer made the rash attempt, the reader has ample materials to form a judgment, on the face of its narrative by the hand of an enthusiastic friend himself. Instead of having abandoned all thought of similar aspirations, it is well known that the young Napoleon Louis is perpetually engaged in movements and correspondence having in view the subversion of the throne of the able and politic King whom Talleyrand has so admirably characterized as the *Napoleon de la Paix.* So long as the profound skill in the art of government—and especially of French government—the ever prompt energy, and the sleepless vigilance of Louis Philippe himself shall continue to shed their pacific beneficence over all the true substantial interests of France, so long, as it seems to us, must these vague aspirations and restless hopes of the Bonaparte family continue to be but the bright mockery of a dream. There is, however, every reason to believe that the Bonaparte party is one of great and widely diffused strength in France. It has two powerful papers as its organs, at the two capitals of France, one at Paris, and the other at Lyons; the openness of whose attacks on the reigning family, with the avowed object of superseding it by a Bonapartean government, would astonish the reader, could we here afford space for any extracts from their columns. On the death of Louis Philippe it would certainly seem that the chance of his dynasty of securing the succession is a far less probable one, than that of some one of the inheritors of that deathless name the sound of which has not yet lost its power to cast its spell of fascinated awe over the hearts of men—however clearly the minds of the present generation are awakening to the comprehension of the true character of that magnificent moral as well as material empire, which that wonderful man was able to erect upon the chaotic ruins of the Revolution. Broad and firm as appear the foundations of Louis Philippe's throne, resting on the material interests and the calm approbation of the productive middle classes of the kingdom, yet does it also appear very certain that it has not, and cannot, strike very deep down into the *affections* of the French people. A *sentiment* once deeply and strongly rooted in the heart of a nation, has an inextinguishable and living power with which no mere cold *opinion* can eventually compete. Especially is this true of the French nation, and of such a sentiment as that which yet quickens the pulses of every Frenchman at the sight of the commonest picture of a little man in a *redingote grise*, and a three-cornered cocked hat, surmounting a countenance of a calm deep beauty and majesty, as unparalleled as the wonderful career of its possessor. But the Bonapartes like the Bourbons have a great deal *to forget.* If their dreams are of great "pyramids" with their summits towering to the clouds, and crowned there by a sunlight of "glory"—as appears,

Digitized by Google

we fear, to be the case with this young Napoleon Louis—then, as it seems to us, no chance awaits them of ever reaching their realization. But if they commit themselves, with true heart and faith, to the mighty tide which is now slowly rising over Europe, as over the rest of the world, of the Democratic Principle, we cannot doubt that it must, ere many years, as soon as the barrier is removed that is now presented by the individual person of Louis Philippe, not only bear them back to the country from which their name is now an immitigable sentence of exile, but must place some one of their number in the lofty post of its First Citizen and Chief Executive Magistrate.

BACON'S REBELLION.*

We are glad to avail ourselves of a long desired opportunity of noticing, in a manner commensurate with our sense of their importance, these valuable aids to the student and collector of American History. Mr. Force is already extensively known in connection with his great and partly successful project of collecting into one continuous series all the rough materials existing on each side of the water for a Documentary History of the Revolutionary war; but his antiquarian researches have extended much farther back, and with careful industry he has gone on gathering together scarce tracts, and accumulating interesting memoranda relative to the origin and history of the several colonies, until in the present, as in numerous other instances, his curious stores have been made available for the public instruction and entertainment. We perceive that these volumes have been adopted by the Historical Society of Washington as their "Transactions," but it is not intended that this identification with that body shall operate to deprive Mr. Force of any portion of the credit for antiquarian liberality and research, to which they so justly entitle him.

There are twenty-five pamphlets published in the two volumes, and the titles of eighteen others are given, intended to form the contents of a third, but they do not constitute a series of the subjects to which they refer, nor is there an attempt made to publish consecutively all the bibliographical treasures which exist on particular colonies or passages in their history. This would have been out of Mr. Force's power, and would have narrowed his fund of antiquarian entertainment too much. Still it

* Tracts and other papers relating principally to the origin, settlement, and progress of the Colonies in North America, from the discovery of the country to the year 1776, collected by Peter Force. 2 vols. Washington.

Digitized by Google

would have been desirable, where a pamphlet of historical controversy has been here resuscitated, to have given, side by side, its predecessor or reply. For instance, Lord Baltimore's "*printed case*" should have been reprinted, to make No. IX of the first volume, where it was "uncased" with such elaborate length of title-page, fully intelligible.

As we propose to devote the present Article chiefly to one of the most interesting passages in our early Colonial history, Bacon's Rebellion, as it is generally termed, in Virginia, in 1676, we shall pass with but slight notice over those portions of these volumes that relate to other subjects—replete as they are with curious historical interest and value.

The first five Tracts of the first volume are devoted to the history of the establishment and early progress of the Colony of Georgia. The first of these, in particular, ought certainly to recommend itself in these latter days to an extensive popularity, inasmuch as it may be regarded as probably the earliest specimen afforded by the history of western land speculation, of that modern school of American art which has of late years flourished in such palmy luxuriance among us—we refer to the art of mapping down imaginary cities in the yet unreclaimed wilderness, in elegant uniformity of rectangular beauty, with ample provision of "corner lots," "public squares," and "water powers," to charm the dazzled eyes of speculative gudgeons. This Tract is entitled "A Discourse concerning the design'd establishment of a New Colony to the South of *Carolina*, in the most delightful country of the Universe. By Sir Robert Mountgomry, Baronet,"—and is the Prospectus of a project for the settlement of the country between the Altamaha and Savannah rivers, under the name and title of the "*Margravate of Azilia.*" It is dated 1717, about sixteen years, therefore, prior to the actual settlement of Georgia, by General Oglethorpe.

Sir Robert Mountgomry derives his title from a grant from Lord Carteret the Lord Palatine, and the Lords Proprietors of the Province of Carolina, for the consideration of a yearly quitrent of the value of a penny sterling per acre, as the land shall be taken up and occupied. On the strength of which title he certainly, as he informs the public, resolves "to proceed upon a scheme entirely different from any heretofore attempted."

This "scheme" is illustrated by a map,—which would of course have been a lithographic one, had the art been then known—so complete and elaborate in its details, that had the enterprising "Knight of Nova Scotia" arisen from whatever grave he may be slumbering in, and appeared in Wall Street on any bright summer's morning, about three or four years ago, we would readily have guaranteed a full subscription to all the shares of his project in a very short time. This map, which may justly be regarded as the model and prototype of that native School of Design to which we have alluded above, is intended, as we are told, to exhibit "the Form of our *Azilia* in the Fullness of her Beauty." It

Digitized by Google

represents a district or township, twenty miles square, laid out with tempting mathematical accuracy. In the centre is the future "*City*," of the moderate dimensions of about three miles square—having in its centre the palace of the Margrave, and surrounded with a "void space," of a mile in breadth, pleasantly shaded with trees, which is to be "useful for a thousand purposes, and, among the rest, as being airy, and affording a fine Prospect of the Town in Drawing near it." Next, surrounding the "City," succeed, for the space of five miles each way, the "Estates of the Gentry"; each consisting of a mile square, duly divided by parallel highways, and each having its little tower or castle exactly in the centre. These are a hundred and sixteen in number, every gentleman adventurer being restricted to one, so that all may be "profitably emulous of outdoing each other in *Improvement*, since that is the only way left them of growing richer than their Neighbours." At each of the four corners of this large square is reserved a space of four miles square, equivalent each to sixteen of these estates, for "great Parks, or rather Forrests," in which "are propagated Herds of Cattle of all sorts by themselves." Accordingly we find one occupied with horses apparently in a high state of enjoyment, flinging up their heels, rolling on their backs, or springing almost perpendicularly upwards, as if in emulation of that famous cow recorded in history as having "jumped over the moon"; while in a retired corner a more quiet pair seems to be going through a very interesting process of equine courtship. A second is occupied with horned cattle, who appear to pensively ruminating, in the midst of the blissful abundance of shade and pasture allotted to them. The third appears amply stocked with deer; and the cheerful resignation with which one noble "hart of grease" is standing to receive his death-shot, from the levelled gun of a hunter about a mile and a half distant, must have held out a truly attractive picture, to the sporting gentry of England, of the pleasures of the field in store for them in Azilia. While the fourth, on the other hand, presents an Arcadian scene, in which rich flocks of merinos and southdowns are tended by a shepherd duly accoutred with crook and dog—the latter a frisking little fellow with a curly tail—while the fair Chloë who is alone wanting to complete the picture of pastoral felicity is to be presumed reposing beneath the shade of some of the thick clumps of trees with which the whole is pleasantly diversified. So much for the Estates and the Parks; next ensues a space of two miles in width, extending round the square, reserved for farms for the inferior sort, to be awarded as bounty-lands after a certain number of years of faithful continuance in the service of the Margrave. And finally the extreme outer space of the District—a mile in breadth—is to be cultivated for the benefit of the Margrave, by persons to be stationed along its outer border for the defence of the whole against the savages—the whole being surrounded, it should be borne in mind, by an entrenchment, regularly constructed and fortified, with salient and retiring angles, bastions and redoubts, &c. amply provided with "Musquets, Field Pieces, and Patarero's"—

Digitized by Google

the common dwellings of the men who are to defend them, and to cultivate the adjacent lands of the Margrave in their rear, being constructed within these Redoubts.

When it is remembered that all this admirable and attractive project—so beautifully orderly, as well in its geometrical distribution as in its social classification—so complete and self-sufficing in all the means and appliances for a state of the highest possible terrestrial felicity—so perfect in its security against all external danger, and withal so obviously natural and easy of execution, requiring no greater extent of armed and garrisoned fortification than a circuit of *eighty miles*—when it is remembered, we say, that this is held out only as a specimen, to which of course all the other counties or districts, of the same superficial extent, were to correspond, all must acknowledge that Sir Robert Mountgomry, however near he may have been approached by some of the more modern disciples of his school, stands yet incontestably at its head, without a rival in the bold magnificence of his enterprise; and in that noble elevation above every ordinary consideration of common sense and practicability, suitable to the character of so soaring a speculator. And when we contrast the grand elegance of his plan, as his Azilia discloses "the Fullness of her Beauty" on paper, with the comparatively mean and humdrum mode in which the good and benevolent Oglethorpe afterwards executed the design of planting the new Colony of Georgia, we cannot too profoundly regret that no "Credit System" was yet in existence adequate to the sublime task of the realization of the former.

The two old pamphlets relating to the early settlement of Virginia, dated in 1609, and 1612, entitled "Noua Britannia," and "The New Life of Virginia," are replete with curious interest and entertainment, shedding as they do a flood of light upon the current popular ideas and feelings of the time in England in relation to American adventure. They are by the same author, whose name is indicated only by his initials "R. J."—the latter being a continuation of the former; and are designed to stimulate emigration to the infant colony, and to defend it against what appears to have been for a time a strong current of public disfavor. In the following passage the author, in cautioning those who have the control of the colony against various sorts of persons whom they should avoid as dangerous members of such an enterprise, so aptly describes a large class of men which, in our own days, we have seen exerting so potent and pernicious an influence over our most important political and social institutions, that we cannot refrain from transcribing it. Surely he must have had a prophetic vision of the swarms of speculators, stock-jobbers, log-rollers, lobby-members, bank-projectors, *et id genus omne*, by which our country has been tormented, and its substance eaten away, as by the plague of the locusts, when he writes—

"I doe earnestly admonish you to beware and shunne three kindes of people: the first, a most vile minded sort, and for the most part badde members of this Citie, by some means shaken out of their honest courses, and now shifting by their wittes

will alwaies be deuising some unhappiness to wrong the plantation: such as daily beate their braines, and seeke by lying suggestions, under colour of good pretence to the Common-wealth to infringe our ancient liberties, and would (if they were not mette withall and curbed by authoritie) make a monopoly to themselves, of each thing after other, belonging to the freedom of euery man's profession—the very wrack of Merchandize."

The following extract also is well worthy of quotation, as involving the great moral of the history of the unparalleled progress of these Colonies, from the healthy and precious seed-corn of the early settlers of the greater portion of them, to that present state of gigantic growth which has been so justly the astonishment of the other nations of the world:

"There is laid upon you in this worke a threefold labour to be done upon your selves, upon your English, and upon the poore Indians. And first upon your selves; for all mens eares and eyes are so fixed upon Kings and Rulers, that they keepe a register in minde of what ever they doe or speake, the better sort of love to imitate their goodnes, and the looser sort of flatterie to applaud their wickednes and sooth them in their vices: when your wholesom lawes shall have no execution, when you shall publish and pretend for the honour of God, and good of the publike weale, and yet shall care for neither of both, but be loose in your owne course of life, giving way to ambition, idlenesse, and all unbridled appetite, to your tongues in swearing, to your bodies in unchastity, making your owne Courts and houses cages of proud, uncleane and all disordered persons, enforcing the good to pine away with grief, and advancing men of bad deserts, accounting it happie to doe what you list, when no man dares reprove you; miserie and confusion will be the end of this, and you shall leave for your monuments shame and dishonour behinde you to all posteritie.

"But if, like wise and prudent guides, as we do rightly esteeme you, in rearing this great frame, you shall lay the foundation in your owne steps, and by your owne example shall teach your inferiours the feare of God, and by your modest recreations, and commendable labours shall lead them on to doe the like, especially in that most wholesome, profitable and pleasant work of planting in which it pleased God himself to set the first man and most excellent creature Adam in his innocencie, to which the best Kings of Israel were most addicted, and by which so many kingdoms are much inriched, and for which the noble King Cirus that great monarch is much commended, whose glorie was to all ambassadors and forraine States (notwithstanding his being a Souldeir and a Conquerour of great employment) in shewing the comelie order of his owne handie worke. When thus your light shall guide their feete, sweete will that harmonie be betweene the head and members of the bodie, then may sleepe the rigour of your lawes, and you shall resemble the best and wisest sort of Kings, which by the influence of their grace and love doe dailie cure consumption, melancholies and evil effected mindes, as also make their hearts more honest and upright, and then that worke (though burnt as stubble heretofore) yet being thus grounded shall abide, you shall live in honor and die in peace; the succeeding ages of those converted Infidels shall count you happy, and that precious seed which you have sowne in teares, shal be as blessed sheaves upon your heads for ever."

In the following passage in which he urges the duty of the colony towards the "poore Indians," there is a stinging reproof, when we read it by the light of the actual experience of our history, which might well dispose us to pass it over in silence, but for our sincere conviction, that the present general policy of our government towards the Indian tribes is animated by a truly humane and liberal spirit; being designed, by congregating them on a safe and special territory of their own, to combine them into some degree of civilized political organization, and at

Digitized by Google

least to try the experiment, under more favorable chances of success than have heretofore existed, of the possibility of gradually raising them to the level of the civilization of the age. Deeply indeed is it to be deplored that, in the accomplishment of this good end in view, unfortunate circumstances have rendered necessary, in some cases, means of severe and violent coercion, in the execution of the indispensable preliminary of *removal*, which have thus far proved scarcely less harassing and disastrous to ourselves, than their eventual result must be to those whose obstinacy and faithlessness have provoked them:

"And for the poore Indians what shall I say, but God that hath many waies shewed mercie to you, make you shew mercie to them and theirs. And howsoever they may seeme unto you so intollerable wicked and rooted in mischiefe, that they cannot be moved, yet consider rightly and be not discouraged, they are no worse than the nature of Gentiles, and even of those Gentiles so hainouslie decyphered by S. Paul to bee full of wickednesse, haters of God, doers of wrong, such as could never be appeased and yet himselfe did live to see, that by the fruits of his owne labours, many thousands even of them became true beleeving Christians, and of whose race and offspring consisteth (well neere) the whole Church of God at this day. This is the worke that we first intended, and have publisht to the world to be chiefe in our thoughts to bring those infidell people from the worship of the Divell to the service of God. And this is the knot that you must untie, or cut asunder, before you can conquer those sundrie impediments, that will surely hinder all other proceedings, if this be not first preferred.

"Take their children and traine them up with gentlenesse, teach them our English tongue, and the principles of religion; winne the elder sort by wisdom and discretion, make them equal with your English in case of protection, wealth and habitation, doing justice on such as shall doe them wrong. Weapons of warre are needfull, I grant, but for defence only, and not in this case. If you seeke to gaine this victorie upon them by stratagems of warre, you shall utterly lose it, and never come neere it, but shall make your names odious to all their posteritie. In steed of Iron and steele you must have patience and humanitie to manage their crooked nature to your form of civilitie: for as our proverbe is, Looke how you winne them, so you must weare them: if by way of peace and gentlenesse, then shall you alwaies range them in love to you wards, and in peace to your English people; and by proceeding in that way, shall open the springs of earthly benefits to them both, and of safetie to your selves."

The papers which Col. Force has here brought together, relating to the much misunderstood and much misrepresented passage of our early colonial history to which we now turn as the main subject of the present Article, are four in number, and together with the materials embodied in the several histories of Virginia, they afford ample means of forming a correct general view of it, notwithstanding several *lacunæ* in the connection of its details, now in all probability irreparable. The first of these is the tract well known to exist as one of the most valuable treasures in the Library of Congress, being a complete autograph copy, in the handwriting of Mr. Jefferson, from an original MSS. bought at a bookseller's sale in London in 1803, by our Minister at that Court, Mr. King, and by him transmitted to the President, Mr. Jefferson,—whose copy is a perfect fac-simile of the original, in the pages, lines, orthography, and even interlineations. This MSS. was a history of the whole affair, written, as it appears, at the request of the Minister, Lord Oxford,

Digitized by Google

about thirty years after the date of the Rebellion, by a person evidently intimately acquainted with its origin, progress and conclusion. Of the name of the author no record has ever been found; though he says of himself that he was a planter; that he lived in Northumberland, but was elected a member of the Assembly, in 1676, for the county of Stafford, Col. Mason being his colleague, of which Assembly Col. Warner was Speaker; that it was the first and should be the last time of his meddling with public affairs; and he subscribes the initials of his name T. M. The contents of this narrative, of which the candor and simplicity cannot fail, as remarked in the preface, to command our confidence, were first made public in 1804, through the columns of the Richmond Enquirer.

The second is a curious contemporaneous letter, written in 1676, by "Mrs. An. Cotton, of Q. Creeke," to a friend in England, giving an account of "our late troubles." The fourth is a mutilated manuscript, of greater length than either of the preceding, which was accidentally discovered in an old and respectable family of the Northern Neck of Virginia, at the close of the Revolutionary war. It was communicated, in 1812, by Mr. Burwell, a member of Congress from Virginia to Mr. Josiah Quincy, from Massachusetts, and published in the first volume (second series) of the Collections of the Massachusetts Historical Society. No indication appears of the authorship, unless it be the same Mrs. An. Cotton who was the author of the former,—which, from the correspondence of style appears extremely probable; while the writer of the latter must at any rate have had before him Mrs. Cotton's letter, as part of his materials; many of its expressions, and even whole passages, being identical with that good lady's quaint peculiarity of language and thought.

The third paper consists of a list of the persons executed after the close of the affair by Sir William Berkeley, copied by Mr. Robert Greenhow, now of the State Department, from the original MSS. in the Harleian Library signed by Sir William Berkeley.

Sir William Berkeley was appointed by Charles I. Governor of the Colony, in 1639. The circumstances attending his succession to the government should not be lost sight of, as they shed an important light on the character of that strong popular movement which it has been the custom of historians to designate as Bacon's *Rebellion*, which about forty years later convulsed the province with civil war, and resulted in the recall of Sir William Berkeley himself. His predecessor, Sir John Hervey, by his tyrannical, corrupt, and rapacious government, had been able, within the period of six years, from 1629 to 1635, to arouse so strong a feeling of popular indignation, that by a formal order of the provincial Council and Assembly, on the petition of the great majority of the planters, he was suddenly deposed, seized, and sent to England as a prisoner, with a strong array of charges against him—two gentlemen of the Assembly being deputed from the Colony to urge his prosecution. Well indeed would it have been for the ill-fated monarch on the throne, had he taken timely warning by this instance, on a humbler scale, of the

Digitized by Google

height to which the spirit of the times was capable of rising, in the struggle between despotism and popular rights. But the deputies of the Colony found all the natural sympathies of the Court arrayed on the side of tyrannical and corrupt authority; and Charles, in whom his own collisions with his former parliaments had inspired an utter disgust of the very name of popular assemblies, instead of extending a fair hearing to their charges, looked upon the presumptuous boldness of the Virginians as little short of treason. The deputies were treated with marked contempt, stigmatized as traitors, and forbidden to appear in the presence of their King: while Sir John Hervey was reinstated in his former authority, and sent back to Virginia, to add to the insult of his presence the redoubled severity of his inflamed resentments. In 1639, however, the bankrupt necessities of the Court forcing it, after its long interval of arbitrary government by force and prerogative, to convene another parliament, it felt itself so far compelled to yield to the just rights of the colonists, which would not fail to find a strong sympathy and support in the approaching parliament, as to supersede Hervey, by a successor whose reputation for liberality, chivalric courtesy, and ability, with every accomplishment of personal elegance, was calculated to convert the late indignation and disgust of the Virginians into a contented and joyful loyalty. Such having been the circumstances of Sir William Berkeley's accession to the government, he should not have forgotten, at its close, the obvious precedent, of forcible popular resistance to abused authority, of the eventual success and practical sanction of which his own person might have afforded him an illustration.

The first year of his government was marked by one of the most fatal massacres by the Indians that the Colony had hitherto known, which strewed all the frontier settlements with mutilated corpses, and devastated with fire all that was not food for the tomahawk. Upwards of five hundred persons were victims to this terrible blow, which was the last effort of the old Powhatan league, still kept alive, though twenty-two years after the death of its great founder, by the genius of the "Hannibal of the Indians," Opechancanough; who, though nearly a hundred years old, and so decrepit as to be unable to walk, being carried in a litter by his attendants, directed the massacre in person, about the head waters of the York or Pamunkey river, at which place it was particularly destructive. Being captured in the war that ensued, the old warrior was brought into Jamestown, where he was shot by one of his guards, probably from exasperated revenge, though on the nominal pretext of apprehension of an escape, as a great instance of the Indian dignity and stoic contempt of pain. His death was a remarkable one, and deserves a passing allusion.

The liberality and mildness which marked the early period of Sir William Berkeley's administration, together with the unbounded popularity which by his social character and manners he was able to attach to his own person, were soon seen to produce a marked effect upon the

Digitized by Google

dispositions of the Virginians towards the royal government; and to create an attachment to the royal cause, in the close struggle in which it became so soon engaged with the Parliament, which would seem to contrast strangely with the stern republican jealousy of authority on many occasions before exhibited by the Virginians. This sentiment was probably more apparent than real, more superficial than deep; and was doubtless much promoted, if not mainly caused, by the high tone of religious Episcopal orthodoxy which prevailed in the Colony,—creating naturally a strong bias against the Puritanical tendency of the popular movement, under the guidance of the Parliamentary leaders, in the mother country. With this influence coöperated that of the influx of a great number of the royal partisans, forced into exile by the complete downfall of their cause at home, and attracted to Virginia, in preference to the other colonies, by its reputation for loyalty. So that when, upwards of three years after the establishment of the Commonwealth, a fleet appeared in Chesapeake Bay, under the command of Sir G. Aiskew, to reduce the Colony to submission to the new home government, its summons to surrender was met with such an array of defence, organized by the gallantry and zeal of Sir William Berkeley, that the former was glad to consent to a capitulation which secured to the Colony more liberal and ample terms than ever were procured under similar circumstances; all its former privileges being secured, and new and important advantages acquired by it, —together with highly favorable personal conditions for the Governor himself, and all his royalist friends and adherents. And as the Virginian planters had been the last to renounce, so were they the first to resume, their allegiance to the crown. On the death of Matthews, the last Governor under the Commonwealth, irritated by some features of the colonial policy of the home government, they recalled Sir William Berkeley from his retirement, by a bold and successful movement, in advance of the Restoration, and proclaimed him Governor in the name of the King. On the consummation, therefore, of the Restoration, the enthusiasm of exulting loyalty which welcomed the announcement of that event in the Colony may readily be imagined.

It would appear, however, that this sentiment was far from being entitled to the name of a general popular feeling. It existed, probably, rather on the higher surface of society, among the cavalier gentry, whose cause was now the ascendant one, than throughout its lower numerical mass. For we find that as early as 1663, not more than two years from the complete reëstablishment of the royal party in the Colony, popular discontents so extensive and serious prevailed, that an actual insurrection was projected,—stimulated and aided by a number of the old soldiers of Cromwell who had been transported to Virginia, on account of their intractable spirit at home,—a conspiracy which was only discovered and arrested on the evening preceding its intended explosion. Moreover, within the few ensuing years that preceded the events to which we are bringing down this general historical sketch, it was found necessary ma-

Google

terially to abridge the right of popular suffrage, so as to exclude from the Assembly persons disaffected to the government. In fact, within this period we observe all the indications of a general alienation of the popular attachment or confidence from the government—extensive discontents, with frequent partial riots and insurrections—the distinct appearance of a "court party"—collisions between the Assembly and the Governor, in animated opposition of the former to the encroachments of power, and a high state of irritation on the part of the latter and his adherents, with a spirit of personal haughtiness and violence, which no doubt, in its social influence, must have gone far to coöperate with the public reasons existing to widen the breach between them and the popular party.

Such was the state of things existing at the period to which the present narrative refers, such the leading events that had led to that state of things; while, undeniably, numerous practical grievances weighed severely on the great body of the colonists. The chief of these was the onerous amount, and the oppressive mode, of taxation to which they were subjected. The taxes for the support of the government being raised solely *per capita*, the poorest citizen contributed an equal sum with the richest to the public revenue. Among the most obnoxious of the public expenditures of which they complained was that of the maintenance of a number of *forts*, both along the frontiers, for defence against the Indians, and on the rivers, against enemies from the sea, as well as for the prevention of smuggling. The establishment of these forts had been carried, through an Assembly brought into power only by a considerable reduction of the elective franchise, as a government measure, in opposition to a general dislike and determined resistance to them by the popular party. Scattered at great intervals through the wilderness, with small garrisons, they were considered as worse than useless against the Indians; while those on the rivers were still less likely to be looked upon with an eye of favor. A leading motive in their establishment, which had been urged by the government at home, was to promote the settlement of towns, of which each fort might serve as a natural nucleus, —a policy doubtless favored by the consideration of the military strength thereby added to the government, which could not look with entire satisfaction on the sturdy spirit of freedom that characterized the Virginians. The repugnance of the colonists to towns was a marked feature of all the early history of Virginia, which Beverley notices, (writing in 1720), remarking that "to this day they have not any one place of cohabitation among them that may reasonably bear the name of a town." It was only by great exertions of the Governor, sparing neither his estate nor his public and private influence in promoting the erection of houses there, that the capital, Jamestown, had of late years begun to assume somewhat the appearance of a settled town and seat of government.

While the country was in this critical state, oppressed with burthens and grievances, inflamed with highly wrought popular discontent against

Digitized by Google

a haughty governing "court party," and ripe for revolution—an idea not unfamiliar to the times—a new element of public excitement suddenly arose, of such a nature as altogether to break down every barrier of prudence or loyalty which yet preserved a reluctant submission to a deeply obnoxious government. This arose from a renewal, in 1675, of the Indian hostilities, of which there had been a total intermission ever since the peace extorted from them in 1645, in the war that succeeded the massacre above alluded to. In various directions along the frontiers furious and sudden inroads were made, marking their route with devastation and blood. These were made for the most part by distant tribes; though the remissness of the nearer and friendly tribes to comply with their obligations by the treaty, in neither giving information of the approach of these inroads, nor molesting their retreat, appeared to indicate a formidable danger of a revival of the old confederate war.

It is a sad truth, to which the present instance was probably no exception, that in most of the Indian quarrels with the whites, from our earliest down to our latest history, at the same time that a most furious indignation is always manifested on the side of the latter against the savage and treacherous foe whom they are accustomed to regard as but a shade removed from the wild beasts of their forests, their early stages are too often marked by some fierce and violent proceeding on the part of the whites themselves, which has stirred up the revengeful passions of the Indians to a point only to be appeased by a satiety of massacre. It seems that in consequence of a number of Indian murders committed within the Maryland borders, the Susquehanoughs, lately driven from the head of the Chesapeake by the Senecas, were invested in a fort belonging to the Pascatoway Indians, near the head of the Potomac, by a large united force of Marylanders and Virginians, though the Susquehanoughs had been friendly with the Virginians, and denied any knowledge of these murders. This force was commanded by Col. John Washington (the grandfather of WASHINGTON), who had arrived in the colony about seventeen years before, from the north of England. The full bitterness of white hostility to the Indians appears to have animated the besiegers; for when six of the chiefs (*Wærowances* and *Cockarouses*, they are called in the different accounts) advanced from the fort to hold a parley, and to ask the reason of that hostile armament, their conference was so little satisfactory to the English, that, as we are coolly and quaintly told, the latter "caused the commissioners braines to be knock'd out for dictating so badly to their tongues"—an action certainly, as it is afterwards added, "diametricall to the law of armes." Thence ensued a fierce war of revenge. The Indians held out six weeks in the fort, which was of great strength, until famine compelled them to make their escape by night; which they effected with success, and in passing "knock'd ten men on the head, who lay carelessly asleep in their way." During this long siege, we are told that in lieu of other food the Indians, "rather than the venticles should lie void, had stowed up so much mal-

Digitized by Google

lize, entermixt with a resollution of revenge," that it was not till they had murdered sixty white men, being ten for each of their chiefs that had been slain, that they sent a messenger to the Governor, declaring themselves now satisfied; and offering peace, on the conditions of "valluable satisfaction for the damage they had sustained by the war," and of abstaining from all future interference in their quarrel with the Marylanders;—which terms being of course rejected, their war of massacre in detail was resumed with renewed fierceness.

In the midst of these events Sir William Berkeley exhibited an obstinate disbelief and disregard of the danger, which might well exasperate to the last pitch of impatience the minds of the people in the more exposed sections of the country. Determined to adhere to his treaty of peace, and angrily reprobating the murder of the six chiefs at the fort, he appeared almost—like many more modern statesmen—to take the part of the Indians against the excited and panic-stricken planters, forgetting that that course, however painful may be the opposite necessity, comes too late after the commencement of such hostilities as constitute Indian war. He refused to send troops against them, and even disbanded a force of militia, which was prepared to march under Sir Henry Chicherley, on the ground of waiting for the approaching meeting of the Assembly. In answer to demands for succour from the heads of the rivers, nothing could be obtained from him but unperformed promises.

It is difficult to understand the reasons of this extraordinary remissness of the Governor, as it is termed by Mrs. An. Cotton, "in applying meanes to stop the fewrye of the Heathen." One of his motives was probably an obstinate infatuation and pride of opinion in behalf of his favorite forts, as a sufficient means of defence for the frontier,—as is indicated in the following passage from the anonymous Tract we have referred to as the fourth of those collected by Col. Force in relation to this subject:

"For it is to be understood that these forts were contrived, eather by the sole command of the Governour, or otherways by the advice of those whose judgments, in these affairs, he approved of; eather of which was now, they being don, his own emmediate act, as they were don in his name, which to have undone at the simple request of the people, had bin in effect, to have undon the Repute he always held in the peoples judgment for a wise man; and better that they should suffer some small inconveniences, than that he should be accounted less discerning than those, who till now were counted more than halfe blinde. Besides how should he satisfie his honour of the undertakers of the work. If the peoples petition be granted, they must be disappointed, which would be little less than an undoing to them allsoe, in their expectation of proffitt to be raised from the work."

The "*small inconveniences*" here spoken of are thus described a few lines before the preceding extract:

"They dayly committed abundance of unguarded and unrevenged murthers upon the English, which they perpetrated in a most barbarous and horrid manner. By which means abundance of the Fronteare Plantations became eather depopulated by the Indian settlers, or deserted by the planters feares, who were compelled to forsake their abodes to find security for their lives; which they were not to part with in the hands of the Indians, but under the worst of torments. For these brutish and in-

Digitized by Google

human brutes, lest their cruelties might not be thought cruell enough, they devised a hundred ways to torter and torment those poore soules with, whose reched fate it was to fall into their unmerciful hands. For some before they would deprive them of their lives, they would take a great deal of time to deprive them first of their skins, and if their life had not, through the anguish of their paine, forsaken their tormented bodies, they *with their clubs knock out their teeth* (or som instrument) tear off the nails of *their hands* and their toes, which put the poor sufferer to a woful *condition.* One was *prepared for the flames at James' town*, who indured much, but found means to escape * * * * * * * * *
for least that their deaths should be attributed to some more merciful hands than theirs, to put all out of question, they would leave som of those brutish markes upon their fenceless bodies, that they might testify it could be none but they who had committed the fact.

"And now it was that the poor distressed and doubly afflicted Planters began to curse and execrate that ill-maniged business at the fort. Their cries were reiterated again and again, both to God and to man for releife. But no appearance of long wished for safety ariseing in the horizon of their hopes, they were redy, could they have tould which way to leave all and forsake the Collony; rather than to stay, and be exposed to the cruelties of the barberous heathen."

It will scarcely, therefore, be a matter of surprise, that at last a general simultaneous rising took place of the people at the heads of the James and York rivers, for the common cause of the country, of self-defence and revenge—and this was the occasion that constitutes the first act in the history of "Bacon's Rebellion."

It is very clear that there was nothing in this assemblage to which is justly to be applied the term by which we find it designated by all the historians, of *insurrection.* Instead of being, in any sense, directed against the government, its sole motive was the irresistible necessity of self-preservation, and its sole object to proceed against the Indians. Guided by that popular instinct which so rarely errs in the choice of a leader, in a crisis of emergency of that nature, the unanimous acclamation of the multitude placed a Mr. Bacon, one of the planters of that section, at the head of the movement; nor was it till thus called forth that he attempted to assume any prominent part in it, having at first silently mixed in the crowd as a private spectator.

By all the concurrent accounts, even of his most bitter opponents, Nathaniel Bacon is described as a person rarely gifted with the noblest endowments of nature, admirably developed by cultivation. He was very young, and is sometimes spoken of as a mere "youth," his age at this period not exceeding twenty-nine. He had been but a short time in the Colony, having spent his early youth in England, where he had passed through all the steps of legal education with great distinction, and where, too, it was said by his opponents, he had dissipated the bulk of a handsome patrimony. He was not without property, however, in Virginia, having an estate at the head of James river, where his overseer and a favorite servant had fallen victims to one of the recent Indian inroads. He was cousin to one of the principal men in the Colony, Colonel Bacon, an old member of the Council, one of the staunchest adherents of the Governor during the commotions that ensued; who is described as

Digitized by Google

"a very rich politick man, and childless, designing this kinsman for his heir." Young Bacon himself, for his "extraordinary qualifications," in less than three years after his arrival in the Colony, was admitted to a seat in the Council; and altogether stood second to none in Virginia in general esteem and admiration, as in his future prospects of prosperity and public honor. It is plain that no charge could be more preposterous than that which is urged against him by his opponents, that he was a reckless adventurer, impatient to retrieve his desperate fortunes by "fishing in the troubled waters of popular discontent." In person he appears to have been of striking beauty and noble presence—of winning manners, and endowed with a rare power of commanding and fascinating eloquence—ardent, fearless and energetic—bold in conception and resolute in execution—full of resource, and never deserted by his presence of mind—generous and faithful to his friends, and himself the object of their unlimited devotion and confidence.

On being thus called to the command of this spontaneous popular movement, Bacon addressed them in a speech of vehement and exciting eloquence, in which he recapitulated all the grounds of grievance which had accumulated since the Restoration, as "an ungracious and ungrateful return for the gallant and perilous loyalty of Virginia," during the period of the Commonwealth; while on the other hand, we are told, the people "with no common zeale sent up their reiterated prayers, first to himselfe, and next to heaven, that he may becom their guardian angel, to protect them from the cruelties of the Indians, against whom this Gent: man had a perfect antipathy." Before taking any other step, he published a declaration, setting forth at large the various grounds of public discontent, and the motives of the present proceeding; and sent message after message to Jamestown, humbly beseeching, in behalf of the people assembled—whose temper, he represented, would ill bear tampering with—a legal commission to go against the Indians at their own charge; to all of which the Governor returned complimentary, but evasive and procrastinating replies. The motives of this infatuate conduct were probably the passion, pride and obstinacy of the aged Governor, and of the evil counsellors in whose hands he was; together, perhaps, as we find it intimated, with a distrust of Bacon's temper, as the latter appeared "popularly inclined." It is impossible to attach any weight to the current surmises and murmurs which, we are told, were excited by "the misteryes of these delays," that avarice entered into the motives of the Governor; that he was unwilling to give up the profitable trade for beaver skins still kept up with a portion of the Indians, of which he derived the principal advantage; and that he had an eye, moreover, to the expectation that "rebbells forfeitures would be loyall inheritances." At last, however, their patience being exhausted, and exasperated by daily reports of fresh murders, Bacon vowed that if a commission should not arrive by a certain day, on the first intelligence of another murder he would march with or without one—a resolution which, though it is termed a

Digitized by Google

rash one, and though many of his friends and family were urgent in their remonstrances against it, few of our readers will probably condemn. Accordingly, the appointed day having passed, with about three hundred men, including "most or all of the officers civill or military," of that part of the country, he set forth into the wilderness in quest of the hostile Indians, with no other commission than the will and choice of the people, under the natural law of self-preservation.

Immediately on the receipt of this intelligence by the Governor, the wrath of the proud old cavalier was artfully stimulated by those about him, to the point at which it is not improbable that the sinister influence which seems to have been exerted upon his mind may have aimed from the commencement. Instead of seeking to appease his anger, we are told,—

"They devised meenes to increase it, by framing specious pretences which they grounded upon the bouldness of Bacons actions, and the peoples affections. They began (som of them) to have Bacons merits in mistrust, as a luminary that threatened an eclipse to their riseing gloryes. For tho' he was but a yong man, yet they found that he was master and owner of those induments which constitutes a compleate man, (as to intrinsecalls) wisdom to apprehend and discretion to chuse. By which embellishments if he should continue in the Governours favour, of seniours they might become juniours, while their yonger brother, thro' the nimbleness of his wit, might steale away that blessing which they accounted their owne by birthright. This rash proseeding of Bacon, if it did not undoe himselfe, by his failing in the enterprise, might chance to undoe them in the affections of the people; which to prevent they thought it conducible to their intress and establishment, for to get the Governour in the minde to proclaime him a Rebell, as knowing that once being don, since it could not be don but in and by the Governours name, it must needs breed bad blood betweene Bacon and Sir William, not easily to be purged. For though Sir William might forgive what Bacon as yet had acted, yet it might be questionable whether Bacon might forget what Sir William had don. However, according to their desires, Bacon and all his adherents, was proclaimed a Rebell, May the 29, and forces raised to reduce him to his duty. With which the Governour advanced from the Middle Plantation* to find him out, and if need was to fight him, if the Indians had not knocked him and those that were with him in the head, as some were in hope they had don, and which by some was earnestly desired."

Overtaken by this proclamation, by which all were commanded to return within a limited time, most of Bacon's company, especially those whose estates gave them the most reason to fear the pains and penalties of forfeiture, obeyed it, and abandoned their leader and the few braver spirits, about fifty-seven in number, who were determined to carry out their enterprise begun. With these he still urged on his bold hunt after the Indians; attacked a large body of them in a palisadoed fort, to which they had to wade a branch of the James river shoulder deep; fired the palisades, stormed and burned the fort and cabins, blew up a considerable magazine of arms and powder, and slew, it is stated, a hundred and fifty Indians—after which feat they returned to their homes.

In the mean time Sir William had collected a considerable force, and was hastening after Bacon, when he was himself overtaken, and compelled to return by the intelligence of a formidable insurrection in the lower and cen-

* Williamsburg. See Beverley's History of Virginia.

Digitized by Google

tral counties, headed by two persons named Ingram and Walklate. These leaders, after urging the same grounds of complaint that were set forth in Bacon's declaration, insisted upon the immediate dissolution of the present Assembly, which had been base enough to countenance the recent proceedings of the government. Gall and wormwood as it doubtless was to the haughty old Governor, it is the best evidence, at the same time of the extent and depth, and of the justice, of the public discontents, that he felt himself forced to comply without resistance to these demands. The forts were ordered to be dismantled, the old Assembly was dissolved, and writs were immediately issued for a new election. This election resulted in the complete triumph of the malcontents; and to complete the mortification of the Governor, Bacon himself, by this time returned from his Indian expedition, was unanimously elected as one of the two members from Henrico county, notwithstanding the double disqualification, of his seat in the Council, and of his attainder of treason. On this he lost no time in proceeding down to Jamestown, to obtain a reversal of his attainder, and a commission against the Indians. He was accompanied by about thirty gentlemen, his friends, in a sloop, and his way heralded by the report of his Indian victory. But before he was able to effect a landing, he was intercepted by an armed vessel under the command of Capt. Thomas Gardiner; and after an unsuccessful attempt at escape, was seized, most of his companions thrown into irons, and himself delivered to the Governor at Jamestown. The latter, however, speedily allowed him his personal liberty on parole; which was shortly followed by the reversal of his attainder, a complete pardon, and his reinstatement in his seat at the Council board. This reconciliation between the Governor and Bacon was doubtless produced partly by the influence of the cousin of the latter upon both, and partly by the fear which could not but be entertained by the former, of Bacon's power, sustained as he was by the general popular sentiment, and the known character of a majority of the new Assembly,* as well as by the unbounded devotion of his own section of country. Bacon was induced to make, at the bar of the Assembly, a written acknowledgment of his offence, to ask pardon of God, the King, and the Governor. On the other hand, it was generally reported, and always asserted by Bacon and his friends, that he was promised his commission on the Monday following—this scene being enacted on a Saturday, the eighth of June, 1676. Burk, in his lucid and able history of Virginia, doubts the fact of this alleged promise by the Governor, regarding its denial by the latter as inconsistent with the high pride of personal honor for which he still gives him credit, at the same time that he con-

* "Bacon being taken, if he were thus pardoned by the Governor, it gains great evidence how unwilling he was to shed blood, which in other places is laid to his charge; and though the event may make some conclude that another course would have been better, yet Sir William Berkeley's knowledge of the ill temper of the Assembly, which was much infected with Bacon's principles, (as is said) might be the reason of his endeavouring to win him by lenity, to make him useful in that juncture of affairs."—*Answer to the Objections against Sir William Berkeley, in justification of his proceedings*—cited in Burk's History of Virginia, 2 vol. p. 260.

Digitized by Google

demns without reservation the arbitrary and unjust tyranny which marked his conduct. This seems to us a degree of liberality toward the memory of Berkeley by no means warranted by the whole history of the affair, especially in its later stages. The likelihood is still less that such a concession could have been extorted from Bacon on any other condition, as he evidently had his resolution firmly fixed on this object, and could not have been ignorant of the power of his own position. Moreover, the statement of the affair made after investigation by the royal Commissioners, Jeffries, Perry, and Morrison, entitled "A Review Breviarie and Conclusion, &c," says, that on this occasion Bacon, "as credible report says, was promised a commission to go against the Indians, for which he waits some time in town,"—which is not contradicted in the reply to that paper made by the friends of Sir William, after his return to England. It is at any rate easy to solve the difficulty by imagining some equivocation—through third parties, if we suppose the Governor himself incapable of the act—which may have conveyed that understanding to Bacon. It is certain that this promised signature of his commission, as General for the Indian war, was currently believed, as that it was also "to the universal satisfaction of the people, who passionately desired the same; witnessed by the generall acclamations of all then in towne."

There can remain but little doubt that the Governor was playing a double part in his present fair seeming. The promised commission was not signed; and after waiting a few days, Bacon suddenly and secretly disappeared. The version of this matter given on the side of the Governor is, that he asked and obtained his permission to absent himself from the Council board, to go to visit his wife, who was ill—his true motive being to raise the country in rebellion. We cannot, however, doubt the explicit testimony contained in the following extract from the first of the Tracts above referred to; a narrative marked throughout by great candor and simplicity, its author, as it will be remembered, being a gentleman, of standing and character, disconnected from politics, and referring to details of his own special knowledge:

"Whilst some daies passed in setling the quota's of men arms and amunicion provisions &c. each county was to furnish, one morning early a bruit ran about the town, Bacon is fled, Bacon is fled, whereupon I went straight to Mr. Lawrence, who (formerly) was of Oxford university, and for wit learning and sobriety was equall'd there by few, and who some years before (as Col. Lee tho' one of the councill and a friend of the govern'rs inform'd me) had been partially treated at law, for a considerable estate on behalf of a corrupt favourite; which Lawrence complaining loudly of, the govern'r bore him a grudge; and now shaking his head, said, "the old treacherous villian," and that his house was searcht that morning, at day break, but Bacon was escaped into the country, having intimation that the governor's generosity in pardoning him and his followers, and restoring him to his seat in councill, were no other than previous weadles to amuse him and his adherents and to circumvent them by stratagem, forasmuch as the taking Mr. Bacon again into the councill was first to keep him out of the assembly, and in the next place the govern'r knew the country people were hastning down with dreadfull threatnings to double revenge all wrongs should be done to Mr. Bacon or his men, or whoever shou'd have had the least hand in 'em.

"And so much was true that this Mr. young Nathaniel Bacon (not yet arrived to

Digitized by Google

30 years) had a nigh relation namely Col. Nathaniel Bacon of long standing in the councill a very rich politick man, and childless, designing this kinsman for his heir, who (not without much paines) had prevailed with his uneasy cusin to deliver the forementioned written recantation at the bar, having compiled it ready to his hand and by whose meanes 'twas supposed that timely intimation was conveyed to the young gentleman to flee for his life, and also in 3 or 4 daies after Mr. Bacon was first seiz'd I saw abundance of men in town come thither from the heads of the rivers, who finding him restor'd and his men at liberty, return'd home satisfied; a few daies after which the govern'r seeing all quiet, gave out private warrants to take him againe, intending as was thought to raise the militia, and so to dispose things as to prevent his friends from gathering any more into a like numerous body and coming down a second time to save him."

Exasperated at the treachery, and now manifest deadly hostility of the Governor towards him, Bacon now felt that no other mode than force remained, both to secure his own safety and that of his friends, and to obtain the commission for the Indian war, which, it will be remembered, was, throughout, the main object of the struggle between him and the Governor; in effecting which he lost no time in acting with his characteristic energy and boldness. But that his movement was not a revolutionary one, with the view of overthrowing the existing government and laws, is manifest from the fact, that its very object was but to obtain a legal commission, to discharge a great and indispensable public service, for which he had an ample physical force devotedly at his command, had he been willing to use it without that formal legal sanction which he appears to have been so solicitous to secure. The successive steps of violence through which the history of the whole affair has to pass, assuming an aspect of rebellion, and plunging the country into all the convulsion of civil war, appear clearly ascribable to the treacherous and violent conduct of the Governor himself. He is, we think, the most justly to be regarded as the attacking party in the struggle that ensued, and as having, most foolishly if not designedly, provoked all its consequences—the very means which he employed, of mingled fraud and violence, throwing Bacon and the popular party, almost compulsorily, on the necessity of a resort to bold and spirited force in self-defence. It should be borne in mind that, notwithstanding the Governor's official position as the representative of the sovereignty of the mother country, there yet existed the paramount though distant authority of the home government, to which both parties professed an undiminished attachment and allegiance, and to which, in this struggle between the Governor and the people, the latter were willing to appeal against the oppressive abuse of his authority by the former; and to justify their course, as imposed on them by a pressing necessity of self-protection, and as not inconsistent either with a just loyalty or a dutiful attachment to order and law. The issue between the two parties was to be ultimately judged on its full merits; and meantime the people were, we conceive, perfectly justified in the attitude they assumed in self-defence; as they would have been had they even proceeded at once to the length of which they had a precedent in the case of Berkeley's immediate predecessor, Hervey—who, it has been seen, was summarily deposed by the people, and sent home for trial.

Digitized by Google

Such was not Bacon's course; and probably the aged Governor was saved from it only by a lingering respect for his gray hairs, and his former popularity in the Colony. A few days after his escape from Jamestown, the excited body of people who, it has been seen, had flocked down to the city to ensure his safety, on their return collected about him; and probably neither leader nor followers needed any further stimulus than the mutual excitement of their assemblage, to proceed in a body back to Jamestown, and force from the Governor the performance of his faithless promises, and the gratification of their own enthusiastic and determined desire, that Bacon should lead them against the Indians. The Governor, on the other hand, lost no time in issuing in all directions his summons to the country to hasten to his support,—but with little good effect; and Bacon, in about a week after his flight from Jamestown, reëntered it without opposition, at the head of five hundred men in arms.

For one day the Governor resisted alike the clamors of the people, and the earnest importunity of the Council and Assembly (in the latter of which was a majority of Bacon's friends) that he should accede to their demand. He even went out, in high excitement, to meet Bacon, surrounded as was the latter with a guard of fusileers. "Here," cried the stout old cavalier, opening his breast, "Here, shoot me! 'Fore God, fair mark! shoot!" frequently repeating the same exclamations, with violent gesticulation. To which Bacon, with apparent equal excitement, answered: "No, y'r hon'r, we will not hurt a hair of y'r head, nor of any other man's. We are come for a commission to save our lives from the Indians, which you have so often promised; and now we will have it before we go!" On the following day Sir William yielded; and, his pride once broken down, his draught of the cup of humiliation was certainly complete to the dregs. He not only signed Bacon's commission as General of the forces to be raised against the Indians, but a great number of blank commissions, to be filled in by the latter as commander-in-chief of the war, for the subordinate officers embraced in his plan; who at the head of small parties were to scour their respective neighborhoods, and secure the peace of the several counties, in his absence on his expedition against the main force of the enemy. He signed, moreover, not only an act of indemnity, but even also, together with the Council and Assembly, a highly applausive letter in favor of Bacon's designs and proceedings—though at the same time he wrote a private one of a widely different character.

After two or three days, however, he dissolved this Assembly, it being evident that it contained a majority disaffected to him, and which was prepared to proceed to a thorough investigation and redress all the public grievances, which could scarcely have failed to generate fresh collisions between that body and the government, and fresh popular agitations.

The length of this narrative precluding the possibility of completing it in a single number, with any justice to its interesting details, we select this as a suitable point of division, and will conclude it in our next Number.

Digitized by Google

SKETCHES OVER THE SEA.—NO. IV.

UPSALA AND DANNEMORA.

It was a bright summer morning on which we set out from Stockholm, upon an excusion to Upsala and the mines of Dannemora. Our party consisted of my four English fellow-travellers and myself. It was a lucky chance that had brought us together at Copenhagen. Many hours, and days even, that might otherwise have been tedious, were made light and pleasant. We had the benefit of each others' observations—no small matter, as every traveller knows—and the companionship and sympathy of persons having a common origin and speaking the same language. One of them had left home, as I had done, alone, and was as glad as myself to find a fellow-traveller on the same road. He was the companion of my wanderings for a long time afterwards, and we travelled many thousand miles together. The other three had left England in company, an uncle and two nephews. The uncle had seen some sixty winters, and much more of the world than even sixty years open to most men. He had lived in the West Indies and in Canada, travelled through the United States, and through middle and southern Europe, taken the overland route to India, voyaged among the islands of the South Seas, and had finally settled a great landowner and woolgrower in Van Dieman's Land. Revisiting England once more, prosperous and rich, he had taken with him two young nephews, one of whom was just entering the army, and the other the church, and had come to visit the north, the only part of Europe he had not yet seen.

Preferring to go by water as far as Upsala, instead of taking a day's journey across the country, we took passage in one of the steamers on the Malaren. On our way up the lake we passed Sigtuna, said to be the oldest town in the north. While Stockholm was yet a cluster of barren islands, before even Upsala was founded, Sigtuna was the capital. It was even founded by the younger Odin himself, in the earliest centuries of our era, if not earlier. Here, after his victorious progress from the Caspian, he established himself, invented the Runic alphabet, formed a new code of laws, and a new religion. From this point, the new mythology spread through the north, by the influence of the Scalds, reached the Germanic family, and, becoming wrought into the poetry, has in no inconsiderable degree influenced the mind of half the christian nations. All that now remains of this great seat of idolatry and barbarian power, are the walls of some pagan temples. A few huts are scattered among the ruins.

In the presence of such monuments of past ages, the mind is carried back to their own times. It reassembles within their walls all that

Digitized by Google

filled them then, and sees not the temples alone, but the worshippers. Then it glances from that age to the present, through the intervening ages, and compares the successive conditions of our race. For myself I could not look on those ruins with cold curiosity, nor without much emotion. They reminded me, not more of the past degradation, than of the progress of mankind, and of the inestimable benefits conferred on us. He who knows what were the superstitions and the rites of the north in pagan times, can fancy what those walls have witnessed. How different was man here, when they were laid—how narrow his mind, how dim his knowledge, how low his hopes—what confusion in thought, what rudeness in manners! And what changes of creed, of opinion, and of manners since! How slowly the light of civilization and religion penetrated these dark lands! One generation after another became less rude until at last the worship was abandoned and the temples left to decay. Not far from Sigtuna, on the opposite shore, and by the margin of the lake, stands Skokloster, once, as its name signifies, a monastery, now the country seat of Count Brahe, the first of the Swedish nobles. What a transition from the temples of Sigtuna to the cloisters of Skokloster—that *old* monastery, as we should call it, were it not so near Sigtuna in comparison with which its age is as nothing. And yet the monasteries have been dissolved, and the monks scattered ages ago, to make room for the disciples of Luther. These were great strides in civilization, the gradual work of many centuries, of which the witnesses are collected in one group on the banks of the Malaren.

It was some hours after noon, when we discovered Upsala, across a broad plain on the right. Its public buildings, the palace, the university, and the cathedral, stood out in strong relief, from the brow and sides of the hill on which the town is built. This hill is on the western line of the valley, which stretches out before it to an immense extent. A little stream, called the Fyris, winds past the town to the lake, and though scarcely wider than our boat, it was deep enough to admit her, and she went up to the town, almost brushing the grass on each side as she passed along.

We had time before dark to visit the university, the cathedral, and the palace. Upsala is a very old town, older than Stockholm. It was once the capital, and still retains the distinction of being the seat of the archbishop of the kingdom, and the place where the kings are crowned. It contains only from four to five thousand inhabitants. The private houses are mostly of wood, but generally neat, and interspersed with trees and gardens.

The university house is in the best style. It was erected by the present king. I went through the botanical garden, and the cabinet of natural history, with the greatest interest. In the lecture room at the

botanical garden is a statue of Linnæus, behind the lecturer's chair—seated, and in the attitude of reading a lecture. His house is still standing—a neat white building, with a large garden.

The cathedral is the largest and the richest in the country. Though the material is brick, which lessens the general effect, it is nevertheless, a very noble structure. It has double towers, and in the interior a double row of fluted columns, and a magnificent altar. What is much more, it has underneath its pavements ashes that were once instinct with genius and heroism, whose fame has spread to the limits of christendom. Gustavus Vasa and Linnæus alone, if there were no others, are enough to consecrate the place forever. The great king, after his stormy career of many vicissitudes, was laid at rest in this quiet spot; and the great naturalist, at the end of a long and peaceful life of study, was laid there with him. Would it be hard to tell, which of the two has done most for the glory of his country! Over the grave of Linnæus is a plain stone slab in the floor, inscribed simply with his name—what a name! and in the wall opposite is his monument.

I never look at any of these old cathedrals, but the first thought that enters my mind is of the past. It is not so much their vastness, though that were enough to affect the imagination, nor their magnificent architecture, but their association with the olden times. I think of those that built them centuries ago; of the mitred priests, the cowled monks, the lord and vassal, that have trampled their pavements. I reflect that these towers have seen changes, and revolutions, and whole generations pass away beneath them; that the same chimes have sounded hourly for ages over the graves of the dead, and the homes of the living.

When I came out of the cathedral, the evening bell was ringing; flocks of daws were fluttering about the belfry, and cawing as if the noise disturbed them. It awoke a saddened feeling to hear the sound of that evening bell booming through the valley. Whether it were something plaintive in the tone, or whether it were the hour, or the impressions I had brought from within, or it may be some thought of distant home, I know not, but the sound struck upon my heart—I stood still to listen to it. Perhaps it was a familiar sound heard in a strange place—the remembered tones of some bell heard at home, recalled here by this, in the extreme north, almost beneath the polar star—I listened till the bell ceased, and turned away.

Crossing the open square before the cathedral, I came upon a monument inscribed to "Gustav Adolph, den Store." It was a plain obelisk, erected by the present king, with inscriptions in Swedish and Latin, signifying that it was erected to the memory of "Gustavus Adolphus the Great," by Carl Johann, in the name of the Swedish people. I remarked often during my stay in this country, the veneration in which the name of Gustavus Adolphus, (or Gustav Adolph, the Swedish name,) is held. It is stamped on the hearts of the Swedish people; and if great talents and great virtues merit the veneration of a people, Gustav Adolph de-

Digitized by Google

serves it. He was one of those rare men, who, thrown upon the most troublous times, prove themselves equal to all emergencies. History has few names, certainly not one king of modern times, like Gustav Adolph. At the age of sixteen, the chief administration of the kingdom devolved on him. At eighteen, he came to the throne; and calling to his aid the wise counsels of Oxenstiern, he extricated his country from a war in which she was engaged with Russia, Poland, and Denmark. Invited to come to the aid of protestantism and freedom, then struggling for life in Germany, he changed at once the aspect of the war. Surrounded with innumerable difficulties, beset with intrigues and jealousies, opposed by veteran armies and the most experienced commanders, his own generous and noble nature triumphed over dissimulation and meanness, and his vast military talents, over all the resources of Austria. He created military science anew—he introduced principles and tactics which prevail at this day. He converted the noblest powers, at every opportunity, to the noblest ends. With all the great traits of his grandfather's mind, there was not a trace of dissimulation in his character. He died at the early age of thirty-eight, in the great fight of Lützen—victorious in death as he had always been when living—leaving an unstained crown to his wayward daughter and an imperishable name to his country.

> "The evil that men do lives after them;
> The good is oft interred with their bones."

"Oft"—not always; far from it—the good that Gustav Adolph did, is still manifest in the security of protestant Germany, and the gratitude of the protestant world—to say nothing of the vast benefits of his example—an example pregnant with good to countless hearts. Let any man who doubts the wordly advantages of virtue, compare the enthusiasm which the Swedes feel for him, with the regard, for instance, of the French for Napoleon. Admiration—deep, boundless admiration, if you please—in the one case; love, admiration and gratitude altogether in the other. Such an example, so cherished, so reverenced, must have a strong and permanent influence upon the Swedish mind, like the veneration of the Russians for Peter, or of the Americans for Washington, though this last is even a yet more sacred and universal feeling. The veneration of the Swedes for Gustav Adolph may even be an element of no little importance in the formation of the national character. The deep religious enthusiasm which filled his mind, distinguished him from every other European conquerer. No wonder that his countrymen should see in him the example of all that was chivalrous, and brave, and virtuous, and wise; at once hero and christian, patriot and martyr; who died, as the rude stone over the spot where he fell expresses it, "fighting for *the rights of conscience.*"

There are few passages in history so striking as Schiller's description of the battle of Lützen, and the fall of Gustavus. The annals of the thirty years' war abound in incidents of the most thrilling interest, especially the part taken by Gustavus; his perseverence, his heroism,

and his devotion; the vengeance he took on the ferocious Tilly, his brilliant charge at Leipsic at the head of his troops, distinguished by his green plume, his conduct at Lützen, give to his career the interest of romance. The protestants of Germany were two or three years ago making a universal contribution to erect a great monument to his memory on the spot where he fell; but, to my mind, the plain rough "stone of the Swede," with its overshadowing trees, forms a more eloquent monument than all the contributions of christendom can purchase.

The name of Upsala will ever be dear to scholars, as that of a venerable seat of learning. Her political importance has dwindled to nothing. It is not that, nor her historical reputation, but her university; the great men she has nurtured; her rich collection of books, of manuscripts, of minerals, of coins; it is the learning and the fame of her professors, that attract hither strangers. More than any thing else, the great fame of Linnæus has covered her with glory.

The university still flourishes, but a rival has sprung up in the south, at Lund. Upsala has, nevertheless, fourteen hundred students, and forty-seven professors, besides adjuncts. Among the professors is Geyer, the historian, who is a great favorite with his countrymen, and well known abroad. The Swedish mind has often made itself felt in the rest of Europe, notwithstanding that her language and situation have cut her off from that intimate communion with the rest of the world, which is the more fortunate lot of the southern nations. Till the beginning of the present century, the French influence upon her literature was too apparent. About that time, a reformation commenced. Swedish scholars began to study more closely the early monuments of their own language. The old national poetry and chronicles were brought out; a Swedish taste created, and a new school of writers, more characteristic and national, formed. Since then she has been busy in her seclusion, cultivating her language, and using the stores of her old romantic and heroic periods. Abroad, the influence of her writers may not be greater than it was before the decline of the French connexion; but they have become more national and more powerful at home. And although the language confines to her own limits most of the works of her authors, every year brings forth such as, if written in English or German, French or Italian, would find a place in all European libraries. Meantime, every year is invigorating the literature, deepening its national traits, and increasing its political power. The press is active. Newspapers are abundant. Education is widely diffused.

The peculiarities of the language must have aided her scholars in inspiring their countrymen with a just pride in the literature. Soft and musical, it is, I should think, particularly adapted to metrical compositions. It is delightful to hear it spoken, from the lips of a woman. Having the same root with our old Saxon, and many words which are even now so nearly like ours, as to be readily understood, the two languages have, nevertheless, in most respects, diverged widely in the lapse of five hundred years. What influence their language may have had upon their music, or whe-

Digitized by Google

ther their musical tastes may have served to soften and harmonize their language, I know not. Certain it is, that they are in a remarkable degree a musical people.

It is necessary for every person who travels by land in this country, to send a messenger forward to order horses to be got in readiness, if he would not be delayed upon the road. There are no diligences, no public conveyances by land, and such is the system of posting, that the horses have to be provided by the peasants, and unless you order them beforehand, you may have to wait an hour or two, till the peasant, whose turn it is to serve the posts that day, can be sent for. It is the practice, therefore, to send forward a courier, or "forebode" as he is called, to give warning of your coming. Having despathed our "forebode" in due form, and having seen all the sights of Upsala, we went quietly to bed, to dream of those we were to see the next day, far under ground in the mines of Dannemora.

The next morning we set off in two wagons. There was nothing of any interest upon the route, except Gamla Upsala, or old Upsala, three or four miles from the present town. It is remarkable for three tumuli, monuments of the ancient inhabitants; and a little Lutheran church, on the foundation of a pagan temple. Some of the old wall still remains, and forms part of the wall of the church. The tumuli are of an age, too distant to be known by any record or tradition. They are of a conical shape, and resemble such as I have seen in England. Similar mounds are found in many parts of our own country.

The country was nearly level, and the roads excellent. For the first twenty miles the land was cultivated, and large fields of grain waved before us. Then we plunged into a thick pine wood, which stretched to Dannemora. It was not yet noon when we arrived at the hamlet, consisting principally of the cottages of the miners.

The first thing I did was to walk to the opening of the mine to look down. I was startled. Such an awful gulf, I had never looked down before. Eighty fathoms deep, and several thousand feet in circumference, it yawned before me. There was no concealment, no curtain of darkness, to cover up the depth. The opening at the surface is so wide that it was as light as day, to the very bottom. The miners looked no larger than grasshoppers! My head grew dizzy, and I was obliged to rally myself to venture down. A scaffolding is erected at the edge, over which a bucket, two-thirds the size of a barrel, is suspended by a single rope, passing over a pulley, and wound round a capstan. This bucket is used for drawing up the ore, and is the only means of descent. This being lowered a little below the edge of the scaffold, four of us slid off into it, and a steersman holding the rope, stepped upon the rim, to keep it clear of the projecting points of rock. Here were four men, squeezed into a bucket, and another above

them, hanging by a single rope, over an abyss of five hundred feet. My blood rushed back to my heart. I held my breath as long as I could, and looked upwards. To look down would have been too much for my nerves at that moment. Slowly the rope was unwound from the capstan, which was turned by oxen, and we sunk down, first straight and heavy like lead, and then, as the line of rope lengthened, with a slight swing, like the oscillations of a pendulum. A cold vapory mist, whose thin volume I could see like a cloud, rolled up from below to receive us; the men standing on the scaffolding grew smaller, the sky changed its hue, and the noise of the miners grew louder, as we went down past one rock after another, till at last the bucket rested on the bottom. We had been six minutes in the descent.

Depth is great by comparison. What would one think of being let down in a bucket from Table Rock at Niagara—this was a depth three times as great. On the bottom, under the open sky, there was solid ice, and this in the month of August. For the most part, the mine lies open to the sky. It is not like those mines where there is a narrow shaft, and an immense excavation under ground, but a vast chasm scooped out from the surface. From the bottom of this chasm, go out side cuts, leading into long arched caverns and winding passages. I suppose the ore was found at the surface, and continued all the way down. At the bottom of the mine we were girt by high black walls of solid rock, frowning down upon us, sometimes projecting, sometimes receding, and broken into the most irregular forms. Here and there portions of the rock had been left, stretching from side to side, resembling bridges, one above another, high over us, spanning the enormous chasm. There were three hundred miners at work. The ceaseless din of their hammers, multiplied by the echoes—the constant falling of water—and the frowning mass of rock all around us, reaching as it seemed almost into the sky—formed altogether one of the most remarkable and impressive scenes I had ever witnessed. The noise of the explosion of blasted rocks, which now and then took place, rolled about the mine like heavy thunder.

The mine has been worked, they told me, four hundred years. It is remarkable for the excellence of the ore, the best of all ore for fine steel. The water is raised by means of seventeen successive pumps, worked by a water-wheel three quarters of a mile distant. The power is transmitted by two rows of small timber, fastened to cross-pieces, which work horizontally upon posts fitted into the ground.

After an hour or so, we resumed our places in the bucket, and were drawn up. As we rose toward the top, it was refreshing to feel the current of wind, blowing over the surface of the earth. Having regained the scaffolding, I looked down upon the next party. How diminutive they appeared! The bucket seemed scarcely larger than a thimble, and its weight affected the rope so little, that it bent into a light curve, as by the wind.

Digitized by Google

THE ITALIAN OPERA.*

BY AN ITALIAN.

Second Article.

At the close of the Article on this subject in our preceding Number, we had spoken at some length, not only of the life and character of Metastasio, but of his poetic and dramatic style—adverting also tothe striking fact of his downfall, which the present age has witnessed, from that throne of the Italian drama so long occupied by him in undisputed supremacy. A few remarks, we perceive, remain to be added to our notice of Metastasio, before proceeding to complete the outline which is intended here to be presented, of the history of the Opera, with a view of its present form and character, and of the kindred performances to which it is now generally allied.

The degree of celebrity which Metastasio had acquired in Italy, and still more abroad, has never been equalled. He was called the poet of women. The whole of the French and German ladies studied Italian for the sole purpose of reading his dramas. His verses constituted every where the code of love and sensibility. *Mio bene, mia vita, cuor mio, idol mio, crudele, tiranna,* and such expressions of his invention, have remained to the dictionary of love. His *arietta*s were interspersed in every fashionable conversation. The ineffable sweetness of some of them can easily account for such an incredible enthusiasm. Such, for instance, is the following, which we insert as but a specimen for the sake of illustration, though we deem it impossible to give in an English version any thing beyond the simple translation of the sense:

Placido zefiretto,—se incontri il caro oggetto,
Dille che sei sospiro,—ma non gli dir di chi!
Limpido ruscelletto,—se mai t'incontri in lei,
Dille che pianto sei,—ma non gli dir qual ciglio
crescer ti fe così!

Oh gentle zephyr,—if thou fan her cheek,
Tell her thou art a sigh,—but whose, oh, do not speak!
Oh crystal streamlet,—if thou cross her way,
Tell her thou art a tear,—but from what eye thou thus
o'erflow'st, oh, do not say!

With such melodious, and not unfrequently touching strains, dressed up in all the melting exuberance of music, the Italians of the last century succeeded in forgetting that they had lost all the rights and dignity of men. But since the French Revolution, when the most noble and austere

* Raccolta dei melodrammi di Felice Romani. Genoa, 1832.

Digitized by Google

virtues have been brought into exertion, when the melancholy of Italian politics has spread a sombre shade over the whole domain of her literature, the Italians have thrown aside that book in disgust, as if afraid of being lost in that eternal sweetness, as a fly drowned in a vase of honey. The proscribed book lingered for a while on the toilet of the ladies. For a while the fair readers made a stand in favor of their poet, but it seems as if women could not have an opinion for themselves. They were obliged to follow the current, and betaking themselves to the tragic, they substituted, for Metastasio, Alfieri and Jacopo Ortis, who, instead of fanning their sensibility with the softest emotions, agitated them with ague, headache, and convulsions.

The reign of Metastasio is over. But, as it is always the case, that the opinions of men recover from one extreme only to plunge into the opposite, the discredit into which the works of Metastasio have fallen is a flagrant injustice. The minds of men are too far exasperated in Italy for such harmless amusement; but if all foreign outrages and political rancors should ever subside, if the fiercest passions should be laid aside, as a suit of armor in the hour of peace, if the captive and wanderer should ever rest on the bosoms that are waiting for them, the Italian daughters will take up Metastasio once more, and the effeminate luxury of his fascinating language will once more call a smile over the stern features of the restored exile—a smile on those pages upon which their fathers have often shed tears.

It must not, however, be forgotten that the principle charm of such poetry resided in the *prestiges* of music. It was certainly no slight triumph for Metastasio, and unexampled in the annals of musical poetry, that his verses could bear a cold perusal, and even a dramatic performance; yet a great part of the interest has naturally subsided, when the innovations of the musical kingdom render them unfit for the use to which they were designed. Pergolesi and Jumella had the largest share in the triumps of Metastasio; and the music-masters became so fully aware of this, that they took the whole of the opera upon themselves, and made of poetry a slave to their most strange caprices. Hence noble minds utterly abandoned the melo-drama. The verses for an opera were no longer called poetry, but *parole, words*; the piece was no longer called drama, or melo-drama, but *libretto*; and ignorant, vulgar wretches, under the direction of the *maestro*, amid the dim of riotous taverns, wrote operas for a few crowns a-piece. The music-masters and company found their interest in this arrangement, as they could without respect torture their base allies, the poets, and rule over the stage with an undisputed sway.

Thus in proportion as the diffusion of the opera was bringing about the golden age of music, which the present generation has perhaps witnessed in its greatest splendor, it lost more and more of its interest as a branch of literature, and with the exception of the comic operas by Castis, and some occasionally written by literary men of high standing—such as the *Ascanio* by Parini, the *Stratonica*, a satirical drama, compo-

Digitized by Google

sed by Monti, aided by an association of the best poets of the age of Napoleon, and the *Barbieri di Seviglia* written, if we remember rightly, by the venerable Lorenzo da Ponte—the verses of *Tancredi*, *Semiramide*, *Otello*, and the greatest number of the operas, made immortal by the music of Rossini, are a heap of absurdities, not only destitute of all order and dignity, but often repugnant to every rule of common sense, as well as measure, rhythm, and grammar.

Nor would there be any chance of success even for the highest poetic ability in an attempt of a similar nature, were a man of genius to be found willing to consecrate his muse to the opera, under the peculiar circumstances by which the mind of the poet is fettered. The laws of the opera vary not only from season to season, and from town to town, but are always modified by the circumstances of the company for which it is written. The general rules to be observed at the present day, may however be thus summed up.

The number of personages is reduced to four, and these are distinguished by the names of *prima donna*, *tenore*, *contralto* and *basso*. Other actors may indeed nominally appear in the list of performers—they may even now and then speak a word, or have a share in a *quintetto* or *finale*—but the poet who should be so ill-advised as to give those insignificant wretches an air or a long recitative, would incur the high displeasure of his rulers. This economy has been occasioned both by the difficulty of finding or hiring a larger number of good singers, and by the jealousies that would be the natural consequences of their simultaneous appearance. In several operas lately given on the stage in London and Paris such as *I Puritani* and *Marino Faliero*—this difficulty has been partly overcome, and *prima donnas* have been compelled to share their triumphs with their most irreconcilable rivals. Yet, even in most operas, two women are always acting together, distinguished by the peculiar tone of their voices in *soprano* and *contralto*. This last arrangement has generally been substituted to supply the want of those degraded creatures, that the exclusion of women from the scenes in ancient times, and subsequently a criminal luxury, had brought upon the stage, to the outrages and shame of humanity, and the last lingering remnant of whom are now scarcely to be met with any where.

What part can be assigned to the contralto, who assumes the armor, dress, and character of a man and a hero, and who will of course retain all the graces and coquetries of her sex and profession, it can be easily conceived; and those little *Arsaces* and *Arbaces*, with their golden ringlets escaping down from beneath their helmets, and their bosoms swelling under their corslets of steel, need all the fascinations of loveliness to escape from the danger of the ludicrous.

The number of personages once thus settled, it becomes a matter of serious anxiety to introduce them according to their rules of precedence. For neither can they appear all at once, nor enter at random, or as the subject would naturally demand. The opera must of necessity have an in-

Digitized by Google

troduction, which, as it is well known, is a different thing from the symphonia or overture; so that though Bellini has often dispensed with this last, yet the *introduction*, which was unknown in the days of Metastasio, has now become a piece of the highest importance. It is generally sung by the choruses, led by secondary personages. In some operas, as *Il Crociato*, *l'Assedio di Corinto*, *Norma*, and *la Straniera*, it is the sublimest effort of the composer's genius. Then the *tenore*, *basso*, and, most commonly, last of all, the *prima donna*, successfully occupy the stage, so as to leave to each of them the opportunity of being welcomed with a storm of applause, according to their individual degrees of popularity. Then come one or more *pezzi concertati*, that is, duets, tercets, and so forth; and when every voice has been heard to the best advantage, the act ends with a *finale* or close, in which generally all the actors, primary and secondary, choruses and military bands have a share—when every mouth is roaring, every trumpet braying, every drum and tymbal rolling, until the whole house is quaking and reeling and trembling from its very foundations. Such was the style of the finales of Rossini who has been, not perhaps unjustly, accused of utterly drowning his words and melodies with his deafening accompaniments. This excess has now been considerably corrected or tempered by Bellini, who sometimes has suppressed the finale altogether; sometimes has modified it to a single air or tercet, with choruses. The second act is generally a reproduction of the first, bating the introduction, and allowing some more latitude to the poet in the distribution of his scenes. In very modern operas we find not unfrequently a third act, consisting generally of a single air with choruses.

But the greatest vicissitude the opera has undergone since Metastasio, is the almost total suppression of the recitative. The airs, duets, and choruses never occupied a thirtieth part of one of his operas. Sometimes an air was not to be met with in over half an act. His airs seldom exceeded the length of eight or twelve lines, and you seldom meet with more than one duet or tercet in the whole of a drama. All this has been completely reversed. In our day a recitative cannot exceed the length of twenty lines, and scarcely two pieces of such dimensions could be endured in the same opera. Monologues and dialogues are reduced to such a distressing laconism, that the poet has no time to give any free play to thought or passion, and as the air is generally intended as the bursting expression of the last stage of excitement, what ought to be developed in the recitative is supplied by the composer with *preludes* and *solos*, *passages*, etc., on different instruments, so very anxious have been the musicians to engross all the effect by the magic of their notes. The airs, which seem to have been formerly very simple, have now become a most complicated concern. They were once either composed of a single *motivo*, or, at the most, divided into *adagio* and *allegro*. Such denominations are now obsolete. An air is now divided in two or more *tempi* or times, and displays, not unfrequently, a good number of motives

Digitized by Google

totally different and independent of each other. Each motive demands of the poet a peculiar measure, and from one to another there must be passages, preludes, etc, which also must be filled up with words, whether the sense admits of it or not. But every air is not essentially of the same character with all the others. On the contrary, in every complete opera there are and must be a *cavatina*, *rondo*, *preghiera*, *romanza*, and several other pieces of different denomination and character, which it would be difficult to define or explain to the uninitiated, but which prove at every step a check to the wing of the poet's fancy. The duets, tercets, and other *pezzi concertati*, have all the difficulties common to the airs, and a goodly number of others peculiar to themselves. Leaving aside the requisite consonance of sounds, the incongruence of a simultaneous dialogue in which every one sings and no body listens, the absurdity of giving a common utterance to persons placed in different, sometimes in opposite, circumstances, and actuated by hostile passions, there remain a hundred restrictions and exceptions, of which the public know nothing, and which, however, give all the pangs of the rack to the ill-fated versifier that takes it into his head to write for the theatre. Then an opera would be no opera at all if there were not a triumphal or a funeral march, a *barcarola*, or *polacca*, or chorus in the distance, a hunting air, a subterranean scene, a death-scene, a battle, a siege, a storming of a city, a something to give variety, to gratify the maestro, or the actors, or the machinist, or even the lamp-lighter, who all have preconceived their own plan of the spectacle, and to all of whom the poet, by a straining exertion of his wits, must make himself humbly subservient.

Such difficulties having deterred every independent mind from a career where there was so much to lose and nothing to gain, the *trade* of melodramatic poet had fallen into the utmost discredit; when Bellini—the ever lamented charmer who was lately cut off in the flower of his country's hopes—Bellini, with a delicacy of taste and a brightness of mind far superior to his uneducated brothers of the harpsicord, felt all the importance of securing to his music the coöperation of poetry. He associated himself with Felice Romani, a man of natural taste, and of a refined education. Under the combined efforts of these two kindred spirits the opera was, if not restored to its primitive dignity, at least emancipated from all gratuitous absurdity. The sway of *prima donnas* had been carried in our days to an unexampled excess; and all the genius of Bellini, and his personal advantages that rendered him a favorite with these fair sultanas, could not, however, induce them to lay down those privileges with which the abuse of an indulgent age had blindly invested them. Still the seeds of a salutary improvement have been sown, and if the times should prove favorable to them we might perhaps anticipate a total reformation of the melo-drama. But the Italians, for a long time, have diverted their attention from the sense conveyed by the words of an opera. All they expect from the poet is a succession of passion and movement such as may give music a wide field for display. Their attention being

Digitized by Google

turned to the spectacle only by snatches, they do not mind contradictions or improbabilities; method and order would be for them labor lost. In proportion as the spectacle is introduced among nations strangers to the language, the poetry becomes a less important matter. The notion generally prevails that Italian music is wholly independent of poetry—so far that some of our fair musicians in America learn to sing songs which they can neither pronounce nor understand. In such circumstances a poet might put forth his talent without any one to thank him for, or even be aware of, the trouble he has taken. It cannot, then, be without great merit that Felice Romani has been able to overcome this universal indifference, so far as not only to have his poetical powers as a melo-dramatic writer universally acknowledged, but even to see his productions separated from the notes of Bellini, that had given them life, collected and published, and generally regarded as an agreeable addition to the dramatic literature of his country.

The most conspicuous talent of Romani consists in having, without violating any of the arbitrary rules which we have imperfectly sketched above, been able to give his dramas an easy, simple, rational conduct, by which some of them are not only superior to every thing that has been written since the day of Metastasio, but even leave us little occasion to regret the multifarious web with which the plans of that poet were woven. The *Norma*, *Straniera*, and *Sonnambula*, have almost all the order that could be expected in an ordinary drama; and though Romani seldom aspired to the merit of invention in his subject, yet he deserves no small praise for having, without apparent constraint, forced the whole of the *Zaire* of Voltaire, or the Bertram of Mathurin, within the Procustean bed of an opera. He has been equally successful in bringing about those striking situations, which are termed technically *colpi di scena*, without shocking our understanding by their apparent absurdity, as was commonly the case before him. Thus the tercet that stands at the first act of *Norma*, and the finale of the second, are two of the most masterly scenes that mind of poet ever contrived, and they do not belong so exclusively to the domain of the opera but that great advantage might be derived from them for the most elaborate catastrophe of a tragedy.

All this has been said for the purpose of rendering full justice to the genius of Romani, whose inventive powers never seem at a loss, in presence of the many disadvantages against which a melo-dramatic poet labors. But so long as the recitative is reduced to a few hasty lines, the opera will always lie low and obscure, in a literary point of view, and the dramas of Metastasio, notwithstanding their striking defects, will always have a better appearance as regular productions. None of our modern operas has one-third of the number of lines of the pieces of that dramatist; and the poetry of la Norma or la Straniera can be perused in twenty minutes, while the apparatus of music makes of it a spectacle of four hours. The poet does little better than to trace the outline of the action; he puts forth a fragile stem and a few arid branches, which the

Digitized by Google

composer will afterwards warm with the fecundating powers of music, to cover them with a luxuriance of verdant foliage and flowers, under which branches and stem will scarcely be recognized.

The merit of dramatic invention being thus taken from the poet, there remains for him nothing more than that of the beauty of lyrical style. Here indeed not only can music have no interest in depressing the flight of poetry, but it is admirably aided by it. The Italian language in itself is melody, and its poetry, especially when in lyrical metres, approaches singing so near that it can easily account for the natural advantages of that country over their neighbors in the developement of musical taste and powers. Still the ear of the musician is not unfrequently at discord with that of the poet, and many a verse of the latter is poetically endowed with a great softness and harmony, that would be rejected by a composer as unmusical. To satisfy a *maestro* on this point it is necessary to have the accents uniformly falling on the same determined syllables, which gives often to what are called musical verses a distressing monotony. To please the master and to avoid this sameness, and raise the verses to the aspiring flights of lyrical inspiration, becomes in practice a harder task than it would be readily believed.

Metastasio has been considered, and was, undoubtedly, a great master of this kind of composition. On the ground of softness and delicacy his ariettas leave us nothing to desire, as to a rival they leave little hope of successful emulation. Yet it has been often remarked that he seemed not always to understand the office and object of an air; that whilst we expect from him the vehement language of a soul tossed on the waves of passionate tumult, when in those lyric verses we seek for the final expansion of the sentiment which has been so skilfully developed in the recitative, he acquits himself by a simile, or by one of those over-nice plays of thoughts and words which reminds us of the *concetti* of Marini, and brings over our heart a sudden chill which all the fire of music could never dispel. Thus it requires indeed all the mellifluous spell of the verses of Metastasio to reconcile us to the meanness of a following illustration, and to recognize in it the effervescence of a maternal heart roused to despair by the imminent danger of her offspring—"a turtle-dove that surprises one who is robbing her nest, finds in the agony of her terror a valor that she never had in her bosom. Though nature has armed her not with talons for the protection of her young, she at least presents to the plunderer the obstacle of her plaintive cries." * All this may be

* Tortore, che sorprende
Chi le rapisce il nido,
Di quell' ardir si accende
Che mai non ebbe in sen.
Col rostro e cogli artigli
Se non defende i figli,
Fa di querele inciampo
Al rapitore almen.

Digitized by Google

very well in a narrative, but it certainly is not the language of the drama, nor the utterance of agonized maternal passion.

Notwithstanding the warning of impartial critics, the fascination of Metastasio perpetuated his defects in the melo-drama, because the ignorant poets that succeeded him could more easily copy his faults than approach his inimitable beauties; but Romani, who, with the gift of an almost equally melodious ear, possessed also a quick discernment, and who enjoyed the opportunity of purifying his style at the new sources of the sublime and melodious odes of Manzoni, has been enabled to enter into a competition with Metastasio in the exuberant sweetness of his metres, without falling into his puerilities; and as we have observed, that the number of airs and concerted pieces constitute in our day almost the whole of the opera, he has brought this part of the composition to a more extensive field. It is not seldom, indeed, that we meet with lines which betray some haste and negligence, the necessary consequence of the hurry with which such productions were sent into light, and of the great constraint under which the author was laboring. It can be also easily understood, that depth of erudition and the advantages of a thorough education were not equal in Romani to his natural talent for poetry, to the vividness of his thought, and the delicacy of his feeling. Yet upon the whole, in his lyrical part, we would not hesitate to place him by the side of the great dramatist, and not unfrequently above him. We subjoin only two of his airs, for the advantage of those who are acquainted with the Italian language, because, the charm residing especially in the exquisitely melodious strain of verse, the literal translation which we add cannot, of course, pretend to do any justice to the soft beauty of these passages:

Casta diva, che inargenti
  Questre sacre antiche piante,
  A noi volgi il bel sembiante,
Senza nube, senza vel.
Tempra, O dea, dei cuori ardenti,
  Tempra tu lo zelo audace,
  Spargi in terra quella pace
Che regnar tu fai nel ciel!

Norma. Preghiera.

Goddess pure, that silverest
  These old solemn trees with light,
  Turn on us thy beauty bright,
Free from cloud, from shadow free.
O'er the wildly burning breast,
  Goddess, pour thy soothing balm,
  Shed o'er earth that holy calm
Which o'er heaven is shed from thee.

Digitized by Google

Non tentata, segreta isoletta
  Io conosco nei mari lontani,
  Là, dall' onde e dai boschi protetta,
  Scorderai l'universo con me.
Qual ruscello per piaggia fiorita,
  Scorrerà la tua placida vita;
  Sorgerà per te lieta ogni aurora,
  Fia serena ogni sera per te.

Io, beato d'un solo tuo sguardo,
  Frenerò sul mio labbro i sospiri;
  Non dirò come peno, com' ardo,
  Fin che il cuor non ti parli per me.
Come il vento sul colle romito,
  Gemerò, piangerò, non udito,
  Fin al dì che, obbliato il rivale,
  La mia fede trionfi di te!

Il Colombo.

Untrod—afar—I know where smiles
  The loveliest of fairy isles;
  There, circled safe by grove and sea,
  The world thou shalt forget with me.
Like stream that sings through banks of flowers,
  Shall float in light thy tranquil hours;
  Joyous each cloudless dawn shall be,
  And calmly close each eve for thee.

Blessed with one sunbeam from thine eyes,
  My lip shall check my bosom's sighs;
  Nor speak its burning agony,
  Till thine own heart shall plead for me.
Like lonely winds that murmur faint,
  Thou shalt not hear my passion's plaint,
  Till when all else forgot shall be,
  My truth at last shall conquer thee!

It is not difficult to perceive, on an accurate perusal of some of the operas of Romani, a general change in the size, the order, and to a certain degree, in the measures and rhymth of the airs, from the models of the bard of Maria Theresa; and the example of Romani has easily demonstrated, that the weakness and effeminacy, which had hitherto characterized the opera, were not so entirely and essentially owing to this kind of composition, as to the mood and temper of that first man of genius that exerted over it for so long a time an undisputed sway. The characters of Norma and il Pirata are poetically great, some of the scenes possess great

Digitized by Google

vehemence and power; and that tinge of melancholy that Romani has contrived to give his works has substituted the true pathos of Romanticism, for the anacreontic sweetness of classical epicurism.

It is then to the genius of his poet, Romani, that Bellini owed no inconsiderable part of his success; and the example of those two united congenial spirits ought to have induced other composers to proceed with more discrimination to the selection of the verses for which they destine their musical strains. But the ignorance of the greatest number of the successors of the Sicilian Arion, the avarice of the managers, the malignant influx of the *stars* of the opera, threaten to frustrate the labor of those two illustrious reformers. *Donizetti*, a man of prodigious fecundity and of splendid talents, but of a taste neither naturally pure nor exceedingly refined by education—placed after the death of Bellini at the head of the musical empire—following, according to the different phases of their glory, now Rossini, now Bellini—astonishing and dazzling the multitude by a rapid succession of operas without number—has never been scrupulous in the choice of the poets whom he associated to his theatrical manufactory; and with the exception of a few of his melo-dramas written by Romani, the majority of his operas are revolting with all the absurdities of the days of Rossini.

The tendency that the opera in our days most evidently evinces is the same which has equally invaded the drama, the romance, and all other branches of works of imagination, namely, to the tragic. The *opera buffa*, or comic opera, is indeed more universally performed, and more copiously produced than the *opera seria* or heroic; but it is certain that the national taste is inclined to the latter. Comic operas are more numerous, because it is the first effort by which young composers venture to claim the public attention; because its verses and music are thought to be a lighter and easier composition; because its performance is not attended with the formidable expense of choruses, orchestra and decorations, that a tragic opera demands, and it can be more easily got up with the small means of the poor theatres of most towns. But the *Della Scala* and *San Carlo* theatres, and all the ruling stages of the larger cities, with few exceptions, are only opened for such operas, as are now called *tragical melo-dramas*, or *lyrical tragedies*. The universal taste of our age for strong and painful emotions has given a decided preference to such actions as are closed by an unhappy end; and the audience will not leave the house in good humor with the poet, unless he has searched the inmost fibres of their hearts, and rent them asunder, unless they feel their pulse heated, their temples beating and their breasts stifled under the throbs of anguish and horror. This same lugubrious and ferocious predilection has been equally extended to the pantomime, another kind of performance so intimately connected with the opera, that we cannot help closing our Article by giving an account of its principal features.

Digitized by Google

The pantomime, one of the spectacles that seem to have been carried to the highest degree of perfection among the ancients, was revived in Italy at the first dawning of dramatic performances. So far back as the beginning of the sixteenth century, the Calandra of Cardinal Bibbienna, the first comedy in the Italian language, was exhibited with inter-acts, a mixture of singing and dancing, the scenes of which were principally acted by gestures. These inter-acts, or *intermedii*, for a long time formed an essential part of all theatrical compositions; but in the progress of time they were more particularly assigned to the musical opera. The art of dancing having afterwards been perfected in France, and the acts of our opera having been reduced to two, the only inter-act that remained took gradually form and consistency; until, after the experiment of some German composers, towards the middle of the last century, the whole of a tragedy or comedy was performed on the stage without the utterance of a word. The necessity, in this arrangement, of addressing the understanding by the sole organ of the eye, rendered it necessary to have recourse to those showy exhibitions which having been first stripped from the opera by Zeno and Metastasio, were abandoned forever as the share of the pantomime. This spectacle was consequently, even to our days, a display either of appalling phantasmagorical scenes, or of grotesque or hobgoblin buffooneries. In our days the art of the pantomime having been carried to a degree of perfection unexampled before, the deep pathos of a tragical scene has been universally substituted for the optic illusions of magic; and, owing to the genius of the Milanese Vigano, the pantomime has attained a degree of perfection superior by far to the opera itself. The scenic decorations, especially by *San Quirico* at the theatre *Della Scala*, the superb draperies and dresses, the numberless *comparse* or attendants, are still there for the gratification of the vulgar; the dances of the French or Italian school have always one scene assigned them; but the action stands by itself, regularly divided into five acts, of which the ballets only constitute a short episode; and the pantomimic actors, altogether different beings from the dancers, sometimes persons of great intelligence, always of overpowering feelings, speak to the understanding in a language unrivalled by either the style of the mightiest poets, or the notes of the most energetic music. The sensation felt by one of Vigano's pantomimic tragedies, such as *Gabriella di Vergy*, *la Vestale*, or *Inez di Castro*, is not only overwhelming to the spectator, but it proves so exhausting to the actors themselves—they abandon themselves so violently to the inspiration of the present moment—they strain their frame so intensely to give their mute utterance to passion—that *Molinari*, *la Pallerini*, *la De Paoli*, and other performers of their sphere, undermine their constitutions by their continual efforts, and die in their youth victims of their zeal for public applause.

Such are the spectacles of fair Italy. In a country where the passions of political parties are forcibly hushed, and only treasured up by a few

Digitized by Google

enthusiasts in the depths of their hearts—where commerce and industry, and, to a certain degree, even science and letters, are languishing under the weight of tyranny—the theatre constitutes the engrossing topic of conversation; and the Italians run to their factions in favor of Bellini or Donizetti, of Pasta or Malibran, almost with the same fury, certainly with the same warmth, which kindled their fathers in their bloody strifes of Guelphs and Ghibellines. A deplorable, and not perhaps entirely excusable blindness! But are not the Americans plunged into the opposite extreme? Could not life be carried on with equal activity, and yet be enlivened by moderate enjoyments of a more warm and more thrilling nature? Are the morals of a people always in exact proportion to the dullness and monotony in which they drag through their days? Would an Italian opera of necessity carry along with it the indolence and apathy, the miseries of division and political and religious servitude, the inquisition, and all the other plagues that desolate that fairest of lands?

We know not; it is not our design to make ourselves the advocates in America of those spectacles of which we have given a short sketch, as exhibiting the tastes of far off countries. But we must be permitted to remark, in a general way, that the guardians of public morals are perhaps too much afraid of illusion—that there is prose and reality enough in every transaction of life, and no apprehension that the sceptre of reason may be soon snatched from the grasp of almighty Arithmetic—that a strict sense of duty and utility must not essentially be the *sole* movers of human action—that the human mind, deprived of all sources of excitement, will languish and droop, as too long a calm would rot the very waves of the ocean.

Illusion is in this day a venerable middle-aged matron, whom at every hour the ravages of time have stripped of some of her former charms. She sits alone and neglected, in the most obscure corner of the festive hall, casting a melancholy glance on the busy groups that are whirling and gliding around. Oh! do not add to the bitterness of her distress—do not envy her at least the rosy remembrance of her days of triumph—when one of her looks, one of her smiles, had all the powers of a ray of sunshine—when flowers shot forth wherever she trod, and she passed unheeding and goddess-like amidst the homage of mortals.

Digitized by Google

THE

UNITED STATES MAGAZINE

AND

DEMOCRATIC REVIEW.

Vol. VII. APRIL—MAY, 1840. Nos. XXVIII—XXIX.

MR. VAN BUREN'S TITLE TO RE-ELECTION.

A few miles northward from the capital of this fair sisterhood of republics lies a pretty and retired spot where a few houses have clustered themselves round the nucleus of an old-fashioned little edifice known by the name of Rock Creek Church—whether within or beyond the limits of the District of Columbia, our geographical lore ventureth not positively to pronounce. A pleasant and little frequent road conducts the occasional traveller, through a country impoverished, partly by inferiority of soil, and partly by long neglect and bad cultivation, into that most dusty, dull, and disagreeable of cities which does very little credit to the name of Washington.

On a bright summer morning, in the early part of August, in the year of Our Lord one thousand eight hundred and thirty-seven—to adopt the fashion of introduction of less veracious histories than the present—if the gentle reader of this page had chanced to be walking or riding, according as fortune may have endowed him with the means of locomotion, along the road here mentioned, he might have had the hap to encounter a couple of gentlemen riding slowly in from country to city, and engaged in a conversation evidently of the most absorbing interest to both. And if the gentle reader aforesaid had, moreover, chanced to overhear a few words of that same earnest conversation, we can only say that it would have been a privilege, in the enjoyment of which he would have been an object of intense envy to a great nation of at least sixteen or seventeen millions of souls—to say nothing of some nine or ten hundred artificial legal entities into whose composition, according to the homely but sagacious popular adage, it is not considered necessary that any such element as a *soul* should enter.

Our two equestrians—between whom a bosom friendship of early life had ripened into the full maturity of the years which had now conducted both from the most undistinguished origin to the highest

Digitized by Google

eminence of public honors—were both men of some little mark and note. The one was THE PRESIDENT OF THE UNITED STATES—then resident for a few months of the middle heats of summer at a retired country house in the immediate vicinity of the scene of his toilsome official duties, and just on the point of commencing the preparation of the first Executive Message, with which he was to meet the Extra Session of Congress which he had summoned to assemble in about a month from that date. To the other, the younger of the two, it is unnecessary to allude more particularly, than to remark, that, having recently retired from the political duties of the Cabinet to the professional labors of private life, he was just in the act of departure to a different section of the country; and the conversation here spoken of—to which there was much in the circumstances of the hour to lend a peculiar solemnity—was simply the parting words between the two, as the one was accompanying the other a brief space on his way. Its subject may of course be readily imagined—the condition of the country, the approaching Extra Session of Congress, and the course to be adopted by the former in his opening Message, in the crisis of his political destiny at which he now stood. Its concluding words, as they were shortly afterwards repeated by the person to whom they were addressed, have long struck our fancy as worthy of the public record which they now receive for the first time. They were substantially as follows:—"*We cannot know how the immediate convulsion may result, but the People will at all events eventually come right, and posterity at least will do me justice.* BE THE PRESENT ISSUE FOR GOOD OR FOR EVIL, IT IS FOR POSTERITY THAT I WILL WRITE THIS MESSAGE."

It may be easy to balance an egg on its point, after receiving the simple suggestion of breaking the shell. It may be easy to discover a continent, after being taught to steer perseveringly in the direction in which, farther or nearer, it must lie. But the easiest of all things is *ex post facto* vaticination. Many a shallow political speculator, therefore, now that the progress of the hour and the event has illuminated the future which then lay so dark and doubtful, and wrapped in cloudy danger, may say, with safety, that the bold course which Mr. Van Buren at this period adopted was the wisest, and in fact the only possible one. But it is not quite so easy to raise ourselves, by a stretch of the imagination, to the level of the position from the isolated and perilous elevation of which the President then had to survey the lowering horizon which encompassed him—to appreciate all its difficulties, and to measure all the conflicting influences which pressed upon it from all directions. And still less easy might it have been to prove capable, in the actual position itself, of the same calm firmness of courage, the same clearness of judgment, and the same fearless trust in abstract principles yet unrecognized in practice, which Mr. Van Buren so signally displayed throughout the trying ordeal of that great political crisis. It is mainly for the qualities displayed, and the high

Digitized by Google

public service rendered, at this period, that we are in favor of his re-election to a second term of the Chief Executive Magistracy of the United States.

The great event of President Jackson's Administration was the contest with the Bank of the United States, and its destruction as a Federal institution—that of Madison's was the War—while Jefferson's was rather a general revolution of the anti-democratic spirit and policy of the preceding Administration, than marked by any single salient point of such historical prominence as to give its character and name to the period. The great event of Mr. Van Buren's Administration, by which it will hereafter be known and designated, is *the Divorce of Bank and State*, in the fiscal affairs of the Federal Government, and the return, after half a century of deviation, to the original design of the Constitution.

A few remarks, on the present occasion, on the subject of *Presidential re-eligibility*, seem to be called for, to meet a misapprehension of that question extensively prevalent in the public mind. Having been for three Presidential terms excluded from power, is but natural that a decided hostility to the practice should, for the present, be very generally asserted by the Whig party of Opposition. It is naturally enough put forward by them in the present contest, as a leading principle of their Presidential candidate—being in fact the only distinct and avowed principle, beyond that of simple opposition, which we are able to recognize on their side of the great political issue. De Tocqueville, too, gives one of his most elaborate passages to depict the evil and danger of this feature in our system; and it cannot have faded from the recollection of the Democratic party, that this idea was strongly put forward by General Jackson in some of his earlier annual messages to Congress—though in connexion with the idea which we think a very undemocratic one, of an extension of the single term of service to six years. It was as favorably received by his party at that time, as it was honestly entertained by the author of the suggestion itself; though the state of things soon after arose which exhibited a practical refutation of the doctrine, in the high political necessity and duty imposed on General Jackson himself of becoming a candidate for a second term, and in the enthusiastic support which his re-election received from the vast majority of the people. Nor was this the only one of the political ideas early advanced by that noble old Patriot President, which more mature reflection, and practical experience of the working of our great system, compelled him at a later period to modify.

We are indeed by no means satisfied with the present organization of the Executive department of our system of government, upon which too strong an impress was left by that anti-democratic sentiment which it is well known existed in no inconsiderable force in the Convention that framed the Constitution. It is not to be denied that it presents several features of a semi-monarchical character which are made endurable to the jealous eye of stern, uncompromising democracy,

Digitized by Google

only by the republican spirit in which the office must necessarily be administered, so long as it is held by the head and representative of a party claiming the character and name of *the Democratic*. We dislike its length of term. We dislike its extent of official patronage. We dislike the quasi-regal palace,* and the quadruple disproportion of salary, which have the effect of raising the individual, however democratic in character and simple in habits, to such an inordinate elevation of social rank and position above the broad level mass of his citizen-peers. All these features we should rejoice to see amended; and that will indeed be an auspicious day for the Republic which shall witness the free application of the hand of democratic reform to the Executive department of our Federal Government, by the substitution of *annual terms*, with unrestricted re-eligibility, for the present tenure of four years; and by applying the true principle of *popular election* to the great bulk of the offices now held under Executive appointment. Let it not be supposed that such a reform would impair the proper and healthy energies of the Executive department. None can be more alive than ourselves to the importance of maintaining those energies in full vigor and efficiency, within their just limits, as in truth a democratic check upon the far more dangerous tendency of the Legislative power to excess and abuse.† But it is clear that it is only in the moral force of its democratic character, as the true representative and expression of the popular majority, that the power of the Executive office resides—that power, at least, which is of a healthful character, and which it is desirable to preserve unenfeebled. And who can doubt that a President fresh from the frequent ordeal of the popular suffrage, bound to shape his course with reference to an early recurring responsibility to the same tribunal, is a more direct representative and embodiment of the popular will and sentiment, than the

* We will take advantage of this opportunity to throw out the suggestion, whether it might not be in many points of view an excellent course, on the organization of the "Smithsonian Institute" at the City of Washington, *to appropriate to its use the President's present palatial mansion.* It would be the best mode, certainly, of getting rid of it. For that purpose it would be admirably adapted; and it would not only be a very important economy of that sacred fund, but would enable the institution to go into operation at a much earlier period that otherwise probably possible. Without wishing to *democratize* it quite down to a "log cabin," we think a suitable residence might be erected for our Presidents, spacious and elegant while simple and unambitious—surrounded perhaps by others of similar style for the Heads of Department—at very moderate expense, and with an advantage, in its moral effect, amply justifying the outlay. A simultaneous reduction of the Presidential salary to a level of something nearer to those of the Governors of States and the other high officers of the Federal Government—on far higher grounds than that of mere economy—would soon cover the necessary cost of the reform here suggested. Let no one sneer at this as an insignificant trifle, or as a piece of impracticable democratic quixotism. The money which would be spent in carting the materials of the Presidential Palace to throw them into the Pacific Ocean would, in our opinion, be much more wisely applied than that which was expended upon its erection.

† See Democratic Review for February, 1836—Article, "Executive Usurpation."

Digitized by Google

same individual when near the close of a four years' tenure of his office?—when the progress of opinion, stimulated by the developement of events, may have moved onward far in advance of that of which his election was the expression—and when he may have done, or have left undone, much that may be calculated to weaken the sympathies of the popular heart with him and his administration.

The obvious objections which will first suggest themselves to the minds of nine readers out of ten—namely, that it would keep the country in a state of unresting agitation, and that no single President would ever have time to carry out any large and consistent system of policy—will be found to vanish into nought on a very slight inspection. For, in the first place, it is very clear that the evil of perpetual political excitement could not be carried to a greater length than we now daily witness. From the first to the last moment of the present quadrennial term the question of the Presidential succession is as furiously agitated as though the election were of immediate recurrence; while the diminution of the political importance of each election, of the splendor of the office, and of the magnitude of the demoralizing prize which it is too apt to prove to our great men—(an inappreciable evil!)—could not but proportionably diminish the excitement of the contest for its possession. And as for the second objection, does it not directly impugn our own cardinal principle of confidence in the intelligent capacity of the people for self-government? Presidents do not govern this country, but great parties and great principles—and who wishes that the former should carry out their own individual "systems of policy?" This subject is a large and vastly important one. We have long meditated bringing these ideas before the country in the pages of this work, and shall on an early occasion return to their discussion with greater fulness of detail.

But vicious as may be the features of the constitution of the Executive department to which we have here cursorily alluded, it is a great mistake to imagine that they are either aggravated by its re-eligibility, or that this great evil which we all recognize around us, of excessive party action, in which the *Presidential question* absorbs everything, distorts everything, and embitters everything, would be obviated by the limitation of the office to a single term. The sage framers of the Constitution who gave their sanction to the principle of re-eligibility, by express refusal in Convention to prohibit it, were not wrong in the view which they took of its probable working—nor the glorious authorities in our past history who have added to the practice the stamp of their reverend example. On the contrary—little as we are disposed to like so long an occupation of so elevated an office by a single individual, and liable as it may be to abuse in dishonest or incompetent hands—yet is it well worthy of consideration, whether a more than counterbalancing advantage is not found in the incentive to good conduct derived from the prospect of a re-election, requiring a President to keep pace with the movement of the public opinion, and to lead it in the wisest

Digitized by Google

direction—giving him the strongest motive to recommend his administration to popular favor by measures of a truly popular character and aim—and forcing him to guide his steps with unrelaxing care by the strictest rule of public integrity and private propriety of life, in the universal blaze of light shed around his path by the freedom of the press.

The case may often arise, too, where a President may become the object of a strong feeling of popular gratitude, a feeling of a perfectly healthy character, which claims its indulgence in his re-election, and to which there is no just reason that it should be prohibited. He may have been the author of some new and bold measure of democratic reform, advanced under circumstances of peculiar trial and peril, which may have given rise to a violent struggle of parties. In such a case he acquires a peculiar identification with the principle of the proposed reform, as its embodied representative; and becoming thus personally associated with its popularity, the natural sentiment of attachment of which he is made the centre is quickened and strengthened by the persecution of which he is at the same time necessarily the object from the opposite side of opinion or of political interest.

This sentiment claims, we repeat, its natural and rightful gratification in his triumphant re-election, which thus becomes, at the same time the public sanction of his policy, the high reward of his high desert, the just atonement for all that he has been made to endure from the furious bitterness of opposition, and a noble encouragement to others hereafter to earn a similar meed by a similar means.

Nor is it necessary to resort to the imagination for the case here supposed. In all its features the reader will have recognized that which is now presented, at the close of the first term of the present incumbent of that highest of human political dignities. And of this —apart from those considerations of party expediency which with peculiar force at the present moment would seem to point in the same direction—a sufficient evidence is afforded, in the spontaneous unanimity with which the universal opinion of the Democratic Party has long ago settled on Mr. Van Buren as its candidate and leader in the approaching Presidential election, as a matter of course, and without any necessity for the machinery of a convention to concentrate its expression—though to the necessary exclusion of the numerous eminent statesmen of the same school of political faith, and distinguished champions of its principles, from whom it would be so easy to select many, who would do no dishonor to the Chair that has been filled by that glorious dynasty of republican Chief Magistrates at the head of which shines the name of the "Father of his Country."

This, then, is the leading issue for the approaching contest—the ground on which he has been the most bitterly assailed during his first term—that on which his future title to historical fame will mainly rest—and that on which we are quite willing now to place Mr. Van

Digitized by Google

Buren's claim to a re-election, upon his party and the country, the *Divorce of Bank and State*, as involved in the policy of the Independent Treasury. There are many other points of view, embracing large fields of survey, in which his administration is to be regarded; and in which it may well challenge a comparison with such an administration as must be the result of the practical application of the heterogeneous principles, so far as it is possible to ascertain them, of the Opposition who are now struggling so vehemently for its overthrow, and for their own succession to the vacated seats of office. But this one is, *par excellence*, and beyond comparison, the most prominent and important, at the same time that it has a peculiarly *individual* character, not equally applicable to the other aspects in which we might hold up to the popular view his entire system of administration, necessarily extensive, complex and various.

For example, other individuals might be named in whose persons might be found a more entire representation of some of the other leading principles—separately regarded—which make up the outline of the political faith of the Democratic Party,—such as, the State-Rights principle—the Specie Reform of the Currency—adherence to the spirit of the Constitutional compact on the subject of Slavery—Free Trade—hostility to a National Bank—to Public Debt—to Internal Improvements by the Federal Government, &c. But—at the same time that it might be difficult to point to any other prominent Democrat who, by an admirable combination and harmony of all these principles into one complete and well attempered system, can be regarded in equal degree with Mr. Van Buren as the consistent representative alike of all and of each—of the great principle of the Divorce of Bank and State—a principle of reform superior perhaps in present importance to any of the others, at the same time that it touches more or less closely on nearly all of them—he, and he alone, is entitled to be regarded as the peculiar and individual representative. Now, therefore, when near the close of his first term, in advocating his re-election to a second, it well behoves us to put forward this measure more prominently than any other, as his title to that magnificent tribute of national honor. With that view it is the object of the present Article to present a rapid review of its history within the period referred to; and as its first bright salient point of interest, and as at the same time involving the essential type and characteristic of its whole subsequent progress, we have thought the closing words of the conversation above mentioned a fit and worthy introduction—as they were shortly after related to us by the person to whom they were addressed.

Let us return, then, to the moment of their utterance, to recall to our memory, what was the condition of country, and Mr. Van Buren's position in it, at the time. The answer to such a question must be of course yet fresh in the recollection of most of our readers.

Mr. Van Buren had taken his inaugural oath on the fourth of March

Digitized by Google

preceding. On the tenth of May the great financial earthquake of the Suspension, breaking out at its commercial metropolis, rolled rapidly over the entire Union, in every direction, to the farthest extent of its limits. The whole banking system of the country strewed the ground with its ruins. All the great interests of production and commerce, of which the currency of a country is the life-blood, and of which the banks were the accustomed channels and vehicles of circulation, lay likewise stunned and paralyzed by the shock. From every quarter a universal cry of agony arose from the land; though half drowned by the shrieks of execration, from the myriad presses and orators of Whigism, against the Government at whose door was laid the responsibility of the whole—mingled only with their shouts of exulting triumph, at this consummation of the financial policy of the Democratic party, and at the prospect of its now inevitable and irrecoverable overthrow.

Nor were the exultation and confidence of all Whigism greater than the sense of discomfiture and alarm of a large portion—perhaps we should say the main bulk—of the Democratic party itself. The catastrophe was so new—so appalling—so overwhelming; it fell so heavily upon all interests and all parties; the explosion of the swollen credit bubble bore so ruinously upon so large a number of influential individuals among those who had heretofore been most active in the support of the Administration; and in truth, when superficially regarded, did appear to refer itself so plausibly to the influence of some of the financial measures of the preceding Administration, of which Mr. Van Buren had inherited the responsibilities—that it can be no matter of surprise that through all the summer of that celebrated year the Democratic party, as a body, was in a complete state of disorganization and confusion. A feeling of discouragement and despair seemed to chill and unnerve many of the truest and the stoutest; while it was evident that large masses, perplexed amid contending doubts and alarms, were wavering, in honest uncertainty, on the point of a decisive abandonment of a Government which appeared properly chargeable with the responsibility of having led the country, by its "experiments," thus deeply into the miry entanglements of this Slough of Despond.

Through all this tempest Mr. Van Buren remained calmly at his post at the helm of state, alike unterrified and unseduced—self-possessed—resolute—and unwavering, equally in his convictions of the rightfulness of the principles with which he stood identified by the pledges of his entire political life, and in his determination to carry them firmly out, with a wise and prudent courage, to all their legitimate consequences; and whether the present issue be for good or for evil, to trust fearlessly, in the first resort, to "the sober second-thought of the people," and, in the last, to posterity at least for final justice. We may venture to say that throughout all this period he surpassed the expectations of his most intimate friends, who had never before seen him similarly tried and tested—as he disappointed the confident

Digitized by Google

prophecies of his enemies. He had been amply known before for an able man, for a wise man (in General Jackson's frequent phrase in relation to him), for an honest, firm, and far-sighted man, as well as for a man of consistent democratic convictions and conduct—but he had not before been known for a *great* man. Before the suspension, it is well known that a very powerful pressure had set in upon him immediately on his accession to the Presidency, to force from him an abandonment or relaxation of the currency policy of the preceding Administration, by a repeal of the Specie Circular, and by the call of an extraordinary session of Congress for "relief" to the distended and struggling Credit System—both which demands had been resisted as resolutely as they were clamorously urged. And after it, the pressure for every quarter to compel him to shape the course of his Administration in a direction favorable to the cause of the banks, and to the renewal of the public confidence which they had forfeited by abusing, was of course multiplied in proportion with the political necessity which those who urged it conceived to be now imperatively incumbent on him.

But from the central height of his position, and the tranquil retirement of the country residence at which the greater part of his time throughout this period was passed, Mr. Van Buren looked abroad over the whole expanse of the subject, with unshrinking eye, and with that clear and far keenness of intellectual vision which has always been his most remarkable trait—a trait well recognized in the familiar *soubriquet*, of intended dispeasagement but of real compliment, with which it used to be the fashion of his political opponents, astonished at the accurate results of his mental processes, as developed by the course of time, to couple his name. Looking upon it by the light of just principles of political economy and democratic truth, he surveyed the whole course of the stormy financial history of the country through the period that had led to this general catastrophe; and through the rapid succession and confusion of the events he read aright the essential law of their movement. The decisive reasons, political and economical, against a National Bank, had been long deeply interwoven into his mind. He had witnessed, and had well understood, the expansion of the currency which had followed the cessation of the long and convulsive struggle for a recharter between that institution and the Federal Government—the direct and leading agency which the United States Bank had had in causing that movement, by the rapid extension of its own loans to the amount of twenty millions within a few months, although it had before, during the suspense of the contest, made the approaching termination of its charter the pretext for a curtailment of unexampled severity and pressure—the joyful promptitude with which its stimulating example was followed by the banking institutions of the States—the great consequent inflation of nominal prices—the rapid and enormous rise and

Digitized by Google

growth of speculation, in its most morbid character and most fatal excess—the consequent vast accumulation of the surplus revenue—the stimulating influence of the possession of this upon the banks—the convulsive derangement of the whole system of machinery, in the very midst of this unprecedented extravagance of high action, by the operation of the Distribution Act—the effect of this measure in still farther stimulating speculation and expansion, by demoralizing and intoxicating State Legislatures, and leading them into stupendous schemes of internal improvement—the reaction of this cause again upon the currency, by leading to the creation of State stocks, for the purpose of borrowing hundreds of millions from Europe to be repaid by poor posterity, loans paid in reality only in the fabrics of foreign industry to the detriment of our own, and nominally at home only by an expansion of the domestic manufacture of paper-money—the slight check upon this tremendous overaction of pseudo-credit applied by the Specie Circular, for the protection of the national domain from the process of evaporation which it was so rapidly undergoing, under this state of things in which the acre of public land was the only commodity exempt, by the necessary operation of law, from the universal hollow inflation of nominal price—the inevitable result of all this in an active foreign commercial debt of about sixty millions, independently of State and stock indebtedness to an amount whose magnitude could only be dimly conjectured—the rise of foreign exchange, even in spite of the outward stream of public stocks, which had so long artificially and unnaturally kept it down to a delusive appearance of equilibrium and safety—the necessary consequent drain of specie from the banks, where alone it was to be found—followed, inevitably and of course, by the bursting of the whole bubble of this insane "Credit System," in the universal suspension or bankruptcy of the banks.

This was the general outline of the events—these the leading points of the history of the whole great national movement, the necessary result and catastrophe of which Mr. Van Buren witnessed in every direction around him, in the ruins that strewed the land, and the agonized clamors for "relief!" that rose from its whole extent. All this, we repeat, he saw with unclouded and unquailing eye—though of course not without the emotions which it could not but awaken in the breast of every lover of his country, however clearly the whole might be ascribable to those very causes, against the action of which the general scope of the policy of the Administration had been directed, and of which the agents and supporters were now the most frantic and furious in their opposition to that Administration. He saw that the whole had its primary origin in the radical viciousness of that fatal paper-money banking system which has grown up, like a Upas tree, to poison the atmosphere of the land which it overshadows; and as a secondary cause, that the disease had derived a frightful stimulus

Digitized by Google

and aggravation, in many of its worst characteristics, from the ill-omened union so long subsisting between it and the Federal Government—both of these views being but confirmations, by terrible evidence of experience on a grand scale of evil, of opinions on the subject long and profoundly entertained by him. The course of duty dictated to a President of the United States by these convictions, if it was a plain one, was also, it must be confessed, an arduous and dangerous one—*plenum opus aleæ.* The very magnitude of the great national evil, the more loudly it demanded reform, the more fearfully did it prove the formidable character of the vast interest which held the whole community in the thrall of that subtle network of fetters which its action spread over the entire surface of the body politic. Touch not the *wounded* hydra. It is a great mistake to suppose that this was the moment of weakness to the banks—of shorn locks and withered strength—that having them "on the hip," it was now easy to "hold them there." Far, indeed, from it. Never, probably, in their palmiest hour, had the power of that tremendous engine of social and political power, the banking system, seemed more formidable than now in the hour of its prostration in the disgrace of universal bankruptcy. Instead of its being a moment of weakness, when the approach of the hand of reform might be more safely hazarded than at another, precisely the reverse was the case. For it was precisely the moment in which the cry could be raised with the greatest effect by the banks, that the common safety of all was identified with their cause, and that all should unite to sustain, to indulge, to relieve, to encourage them, by demonstrations of "confidence"—a confidence, forsooth, increased in exactly inverse ratio to the evidence afforded by themselves of their title to it. There was no slight degree of popular plausibility at that time in the appeal urged in their behalf, that whatever course might hereafter be pursued by the Democratic party, for their reform and for the protection of the fiscal interests of the government, now at least was not the hour to press it—that all should unite to carry the distressed ship of the public credit (to use a favorite metaphor of that day) safely through the immediate severity of the tempest—and that it would be time enough to agitate these questions when the haven should be reached, of a resumption of specie payments by the banks, an object to be attained only by an implicit obedience to the terms and methods dictated by themselves.

In appreciating the difficulties of Mr. Van Buren's position at the period we are here referring to, it must be borne in mind that no indication then appeared of that great movement of the South to his support, under the glorious guidance of its noble leader, which has since developed itself with such decisive effect; while a general dissolution of his own party, with the abandonment of his Administration by a very great proportion of all the old influential leaders among

Digitized by Google

its supporters, was plainly inevitable, if he should dare to assume any attitude antagonistical to the power of the banks, and to the popular infatuation in favor of the paper-money Credit System. The only existing party on which he could rely for suppport in such a position, consisted of a small section of the Democratic party in the city of New York, which had assumed a distinct organization on the ground of hostility to the monopoly of the banking system, and the fraudulent fallacy of paper-money—insignificant in number, though powerful in talent, enthusiasm, and stern, true, radical democracy—an object of persecution to all the other parties, and known throughout the country as large only as the object of a vague terror and random execration, under the uncouth and contemptuous designation of the "Loco-Focos."

But, in truth, the principles of this little knot of *sincere democratic reformers* were those always cherished by Mr. Van Buren, and to which he had never been unfaithful, throughout the whole course of his political life—being nothing more nor less than those of a pure and earnest democracy, illuminated by the light of the soundest principles of political economy. And insignificant as might be their present numbers, and impotent as might appear their present detached party organization, yet the power of truth depends neither on numbers nor on parties, but on its own divine vital energy; and in a deep and thorough agitation of a sound principle is to be found as mighty an engine of influence upon the minds of men, in the hands of a single worthy votary of its truth, as though urged by the acclamations of millions.

Such, then, was the state of the times, and such Mr. Van Buren's position in them, when he resolved upon his famous Message of the Extra Session, in which he was seen, to the astonishment of the vast majority of the people, to fling at the banks a daring defiance of their worst; and to take the high ground, for the Government, of a total disconnexion from the banking system in any and every shape—for the Currency, (so far as affected by the fiscal action of the government), that of the repudiation of the use of paper-money for all the minor ordinary transactions of life, and the return to the only solid and safe currency contemplated by the framers of the Constitution—and for the existing national distress, arising out of the unavoidable collapse of the expanded Credit System, that the "relief" clamored for was equally beyond the power and the rightful action of the Federal Government (farther than by a liberal present indulgence to its debtors among the banks and merchants); and that it was only to be obtained through the gradual agency of the great laws of nature and of trade, by patient endurance of this necessary expiation of past folly and excess—all temporary palliatives, founded on the application of more banking and more paper-money, being only calculated to

Digitized by Google

prolong, and eventually greatly to aggravate, the agony of the present crisis of national disease and derangement.

The fury of the political storm that ensued will long be remembered. The cause of the Administration seemed for a while irrecoverably prostrate, and Mr. Van Buren's prospects of being sustained in his bold appeal from the banks to the people, utterly desperate. State after State abandoned him, and by such heavy reversed majorities as appeared to indicate a great popular tide of revolution which it would seem idle to attempt to stem. The party which had elected him broke up with a great convulsion. A large segment of it passed over openly into the ranks of Opposition,—where they soon illustrated strikingly the old adage that "one renegade is worse than ten Turks." A still larger, differing from the latter class only in degree, by retaining a loose and weak adhesion, at the same time that they strenuously opposed the cardinal principles on which by his Message he had staked his political existence, were productive of far greater injury and embarrassment in the struggle that ensued, by distracting the unity, and paralyzing the energy, of those by whom the struggle was in reality undertaken with an enthusiasm and courage worthy of the cause which called them forth. Every where Opposition was triumphant. Mr. Van Buren was already stamped as a doomed and ruined man—an opinion which was at that time to be heard not unfrequently uttered even by persons who wished him well; and who believed that the future would eventually render a tardy justice to him and to his principles, though at the hands of the present generation he must be their martyr.

But the Message very rapidly began to work. It addressed itself directly to the heart of the Democracy, and did not fail to find there a prompt and congenial response. Far and near it went forth through the land, like the sound of the trumpet-note of rally on the plain of battle to a wavering and disorganized host. It was immediately recognized as the spell-word that had been wanting to be the signal of order and spontaneous rearrangement throughout the chaos of conflicting ideas into which the Democratic party had been thrown by the shock of the recent convulsion. Our reorganization began immediately on the basis of the doctrines of that noble document, and proceeded with great rapidity and energy; and if ever this is true of a single man, in relation to a mass of millions, Mr. Van Buren was, in his individual person, most emphatically the nucleus of this process—the point of departure, of impulsive stimulus and central support, to this great national movement of opinion. Had he proved false or incapable it could not at that time have taken place. And it affords a striking instance of the necessity of a leader in all such crises of human affairs, and of the mighty influence for good which it may become the high and happy lot of an individual to exert upon the destiny of a

Digitized by Google

nation, when the exact conjunction takes place of the Hour and the Man.

The subsequent progress of the movement we shall not here retrace in detail. The depth and extent to which it was seen to proceed within the short period of two years were amply attested within the past year, by the general triumph of the Democratic cause in the elections throughout almost the whole extent of the Union. The present House of Representatives has been elected to pass the Independent Treasury Bill, and will soon discharge that high duty. The first great step towards the reform of the currency—than which the warmest democratic philanthropy can propose to itself no worthier object of effort—in detaching the influence of the Federal Government from the support of our wretched paper-money system, is now secured. The unholy alliance between them, by which, through the past half-century, the benefits of the Constitution have been more than half neutralized, can never be reunited. Though the immediate influence of this reform upon the currency of the country will be but slight, notwithstanding the exaggerated views taken of it by both friends and foes, yet upon the future action of the government it will impress itself with an effect as potent as salutary. We now at last are about to return to the starting point of the Constitution, when in an evil hour Hamilton's bold and powerful hand seized the helm of the state, and—with honest, but radical, and most fatal, error of theory—gave it that false direction which it has taken fifty years of evil and of struggle, to correct.

In the line of our Presidents, Mr. Van Buren is fortunate, indeed, that it has fallen to his lot to be the immediate author of this great reform, of which it is not easy to exaggerate the ultimate beneficial effects upon the working of our system of government. This constitutes his present title to a re-election, which it has most assuredly secured to him by a massive majority, as it will hereafter constitute a title, which none will be found to dispute, to a glorious historical distinction. This is the main root of that sober, rational, thinking, popularity—the noblest kind of popularity, and not the less enthusiastic that it is calm and deep—which he has *extorted* from reluctant prejudice, in many quarters of the Union. His high daring, which was by many deemed desperation, has proved the profoundest wisdom. Fearless in the cause of the truth, by the might of the truth he has conquered. Throwing himself with a noble confidence upon the people, by the people has he been nobly sustained,—and the "posterity" to which, as quoted in the commencement of this Article, he appealed in the time of perilous crisis, has come earlier than he or any one could have ventured to hope. The lesson is an invaluable one for our public men. So may it be always.

Digitized by Google

THE DEBIT SYSTEM, OR "CR." AND "DR."

JANUS, a god of the ancients, was double-faced—having one aspect for peace, the other for war—our modern deity of Commerce enforces a similar worship. The *Credit* System is the smiling countenance which beams on prosperous trade; but the *Debit* System the grim and scowling visage which lowers over the land at pay-day. Credit comes with enticing smiles, the first-born of joyous hopes; but Debt is the horrid after-birth that lags not slowly behind its beauteous brother; for soon as Credit's name is written on one side of that commercial bible, the merchant's ledger, nature indites upon the other, with relentless certainty and steadiness of hand, the unsightly monosyllabic name of "Debt." Birth and death follow not each other more naturally. The world danced of late at the growth and manhood of our glorious Credit System. Existence was then a sweet and intoxicating feast; precious gifts, delicious viands, and exhilarating wines were profusely scattered among the revelling guests. Few saw, and yet fewer heeded, the lengthening score which Debt was writing on the walls. For a while the curse to man seemed suspended, that "in the sweat of thy face shalt thou eat thy bread." They toiled not, neither did they spin, yet how gloriously were they not arrayed. Alas, that "all that's bright must fade;" and that Debt, like poverty coming through the window, should snub ambition, as unfeelingly as the latter is said to treat love!

The examination of our present great Debit System, its why, whence, and whither, is facilitated by a moral rule, true as any mathematical one:—we have but to know what was, to be assured what is. For, as were our smiles, now must be our tears; for each 'tickle i' the sides' at loans effected, must there be a 'scratch o' the head' at payment; as were the the revels, the sudden fortunes, the grand improvements, the wilderness cities, the great regulators, so must there now be spare diet, sheriff's executions, mouldering wheelbarrows by unfinished banks of long ditches, gullies half-dug through hills, regulators unregulated, and still-born cities *crisised* in their embryo. For now reigns Credit's great antithesis, its co-ordinate and coequal negative pole. A howl of horror has echoed up from the abysmal depths of insolvency to affright the nations; the angelic form of "CR." has shrunk away, panic-stricken, into nought, and dark and dismal forth stalks to light of day the hideous monster "DR." to claim his rightful alternate hour of rule.

The power of the mighty phantom consists, however, alone in this, that he but reverses the abandoned sceptre of credit; he brandishes its *pay* end before the extended merchant, and cries "Settle!" He waits not the building of the lithographed city, but shouts "Pay!" As

Digitized by Google

little does he heed the sacred dignity of State sovereignty, affrighted at direct taxation, but thunders "Specie!"

Alas, the vanity of man! A name, an empty epithet, a vague combination of a few sounds or letters, syllabled on the air, or scrawled on the surface of white paper, can so enchant his fond fancy, as to make him forget the essence in a new appellative. The "Great Credit System" was the by-gone catch-word, in ringing all the jingling changes of which, the thought never occurred to ask himself the question, can there be a credit system without an equal and corresponding system of debt? The Administration opposed credit in its unhealthy excesses, and was blamed; it thus resisted debt and was also entitled to praise, and the same mouths that declared that credit was the poor man's wealth, also admitted that debt cursed both rich and poor; and had our glorious Credit System been but styled a glorious System of Debt, our dishonor and much incalculable evil, moral and economical, had been averted.

It is not, however, the sole end of this Article to show that any system of Credit must be a system of Debt, or that the simple enunciation of Credit involves coextensive Debt; for our Credit System has been but a juggling scheme, inducing many times more Debt than actual Credit. We have now to pay dollars, where we had borrowed, not dollars, but the credit of them, the phantom ideas of dollars; and thus in most instances received but the mere credit of a credit, the shadow of a shifting cloud, a dim abstraction of the mind, to which mental darkness gave ghostly form through credulity, but which the daylight of better judgment has dispelled into its native nought.

He who loans what he does not own, loans nothing solid; and when therefore some eight hundred banks throughout our country, loaned on an average three times the amount of their capitals, they loaned one-third something, and two-thirds nothing. Under the operation of such a system, they for a time trebled apparent nominal values, of which the original third now alone remains, as the wofully shrunken residuum; yet the debts incurred still exist in their full pristine dimensions—fattening ever, and growing, with their unfailing nutriment of accruing interest—integral legal demands against personal responsibility, when two-thirds of the consideration for their contraction have disappeared.

In dazzling splendor glittered the great Baal of Credit, and the worshippers exclaimed: "Great art thou, O Baal, and in thee there is no shadow of change!" But the prostrate idol has been broken, and is found composed of little gold and much clay, and the worshippers who abandoned their ploughs to adore the idol in city temples are again on their way to their country fields, glad, like modern Nebuchadnezzars, to eat grass with the cattle.

But in all this there is much food for philosophical inquiry. No widely-spread popular delusion ever existed unfollowed by rich harvests of afterthought; and we now everywhere witness the efforts of a mighty people elaborating from the crucible of present suffering the golden re-

siduum of experience. "Whence these evils? and what their remedy?" are universal inquiries. It is, however, remarkable that in revolutions present generations seldom solve the enigma of their own workings, and the true and ultimate tendency of great instinctive efforts have been unknown, though not unfelt, by the most violent actors in them. So also now, during our financial revolution, it is a common subject of reproach against the Democratic party, that they desire to destroy credit, and that such is the issue joined in this great political and financial struggle. But is this so? Credit is an element of man's nature, founded on faith in the promises of moral and accountable beings; credit is a practical expression of that belief of man in man which constitutes the basis of society, and most of all of the democratic theory; credit exists most where honor and truth proffer the surest guarantees of fulfilment, and could only be annihilated by their destruction. Is it not then strange, if the great democratic mass be struggling against nature, and spite of proverbial enterprise be striving to ruin the very advantages which their own oft-tried honor has secured? In this country both capital and population have regularly doubled in less than a generation, and yet our mightiest resources are still unassailed —still exist in their primitive state of nature. With such means the wildest folly of legislation could not, even if it would, arrest credit; such an end could only be accomplished through our moral degradation, when faith should be more questionable than ability. Far from such insensate aims, the Democracy are struggling to destroy the monopolies of credit, which, because they were monopolies, must have rendered true credit less abundant, as well as less healthy; for when did monopolies ever produce other results? The great mass of the wealth of our country has been thrust aside from its right to represent exchangeable values through banking, and the comparatively small means of a favored few, bloated with special privilege to seeming size, have failed in the Herculean task to monopolize that which the general wealth could alone accomplish. Our eight hundred banks, whose aggregate capitals and credit were but a tithe of the national wealth, were compelled, by the wants of an accumulating trade, to puff themselves to inordinate size, in the gigantic effort to represent all the exchangeable values of our mighty country, and resembled as many pyramids standing on their pinnacles, and the first breath of disaster tottled them over. Our inventions and systems have foolishly arrayed themselves in opposition to the inventions and systems of the world, both actual and past. Since the remotest antiquity, the precious metals have been the great medium of representation of exchangeable values; and, since then, and now, it has ever required *all* the gold and silver, and *all* the credit which their possesion gives, to represent those values, and our adversaries say that even then there is not sufficient; yet in spite of these allegations that such universality is defective, far from seeking plans to enlarge, their endeavors have been to diminish, that which they themselves de-

Digitized by Google

clare to be too little; instead of a universal system, working on the universal means, we have had a monopoly system founded on partial wealth; instead of inviting all who had the means to aid, we have ordered the mass to stand aloof, stripped them of their equal rights, and with those strippings fed the big monsters and the little ones. Commerce needed the universal aids, but, in the face of monopoly, could only get the partial, and was obliged to give trust to our monopoly banks for the residue; and hence banking, to the amount of three times its capital, was an ordinary occurrence; and all must perceive that, as privilege is straightened, want, like a mirror, must give reflection instead of substance, and that in this view privileged banking is not so much a means of lending as of borrowing.

In no country where banking was free have the banking classes ever been enabled to palm on the public, either through circulation, deposites, or discounts, a credit representing three times the amount of capital; public competition would soon strip the fields which proffered so rich a harvest. The golden tree of the Hesperides grew not in a highway; and it must be apparent that in this, as in every instance, monopoly has received more than nature meant to give. In comparison with the banking means of the public, the banking capital of monopoly institutions is but a slender portion of the aggregate wealth; and give but to the general means free scope, credit would become as extensive as their universality, while competition would strip discounts of the greatest possible portion of that noxious quality of credit, which lends to the lender through his own loans—a quality which, in all panics, has made our banks broken reeds of reliance to our merchants, for in all such they have been found themselves more indebted than even the community they appeared to trust, so that the question with them, in such times, has ever been, whether themselves to break, or to break their customers; and self-preservation naturally instigates the latter. If they only loaned their own capital who could run them? That debtors should run their creditors would be a queer miracle. How different the position of a real capitalist who lives on the interest of actual investment, and who loans only what he owns. He insures not his own position by forcing his customers in times of universal distress; if assured of ultimate payment his promptings are directly the reverse, and self-interest gives a keener edge to the kindly feelings of nature to extend in such times even additional assistance.

Let then each sufferer patiently await until this great democratic fight has been fought, and Credit has been rescued from the strongholds of monopoly, and erected on the broad pedestal of liberty; and truly as freedom begets abundance, and privilege stint, so surely shall we find credit—that is, a true, healthy, and beneficial credit, resting securely on the basis of a sound and unshifting measure of value—both extended in quantity and improved in quality.

Digitized by Google

Digitized by Google

Richard Rush.

Engd. for the U.S. Magazine & Democratic Review

Digitized by Google

Digitized by Google

Digitized by Google

POLITICAL PORTRAITS, WITH PEN AND PENCIL.

NO. XVIII.

RICHARD RUSH.

Among those who in after times will hold a distinguished place in the list of American Statesmen, when their lives and characters, both public and private, shall be viewed through the impartiality of historic light, most assuredly will be found the subject of the following sketch. If talents of the highest order—an education the most liberal—laborious study—a judgment matured by profound thought—if a long life of devotion to his country in connexion with some of her most important civic services—if political wisdom drawn from the best and purest sources, and a political integrity never questioned—if the most marked evidence by his fellow-countrymen of their just appreciation of his merits—if such grounds can create an undeniable title to a *national name*, it will be awarded to Mr. Rush.

Richard Rush is the second son of the celebrated Dr. Benjamin Rush of Pennsylvania. To have been brought up by his father, is to be well educated; for his communicative temper and habits made him a preceptor, continually imparting to those around him the patriotism, philanthrophy, morals, learning, manners, industry, and emulation, of which he was an example as well as teacher, who left the world replenished with his principles and pupils. Richard Rush was born in Philadelphia, in August, 1780, and is now therefore fifty-nine years old, enjoying a degree of bodily as well as mental activity and health unusual at that period. After having been at the usual preparatory schools, he was entered in the college at Princeton, at the age of fourteen, at which institution his father, and his maternal grandfather, Richard Stockton of New Jersey, had both been educated, both of whom were Signers of the Declaration of Independence.

At college, though but little addicted to hard study, he was fond of debate and public speaking, for which intellectual exercises he early exhibited the germs of future excellence. He took his degree in the autumn of 1798, being the youngest in a class of thirty-three. Immediately upon his graduation, he commenced the study of the law in the office of William Lewis, Esq., then one of the leaders of the Philadelphia Bar.

The year following the whole country was in a state of martial excitement, under the wrongs and insults of France. The youth of the country poured in their addresses to the President, Mr. Adams, with

Digitized by Google

a tender of their services in case of war; and young Rush, then seventeen years of age, did not hold back from the general feeling, though he was *not* of "MacPherson's Blues." This fervor of the country did not last long, neither invasion nor war having followed, except partial hostilities with France upon the ocean, where, as usual, our flag was triumphant. Towards the latter part of his time with Mr. Lewis, he gave himself up to close study, and was admitted to the bar in December, 1800, when but little over twenty. His habits were at this period formed to laborious self-discipline and culture. During the six or seven years that followed, being still a member of his father's family, and having little practice in his profession, he did not cease his devotion to study, making the night "joint laborer with the day," and, although of a robust and strong constitution, endangering his health by the intensity of his application. The law, history, ancient and modern literature, government, the orators, the poets—these were the fields into which he went, reading the best authors. He formed at this time that intellectual habit so effective in the acquisition and retention of knowledge, and so beneficial to the mind itself, of digesting by reflection all that he read. Every volume received the full power of his attention; important facts or thoughts were recalled, and entered in his own language in common-place books, and a short criticism and opinion passed upon many of them when finished. Nor, among the other studies which engrossed at this period the industrious energies of his mind, was that of politics forgotten, although he took no active part in them at this period of his life. If his personal and professional associates were the Federalists of Philadelphia, he had deeply imbibed from his father, in early life, the republican principles of Mr. Jefferson and Mr. Madison. The former, in the beautiful letter, published among his works, that he wrote on religion to Dr. Rush in 1803, begins by saying: "In some of my delightful conversations with you in the evenings of 1798—'99 (the black cockade days), and which served as an antidote to the afflictions of the crisis through which our country was then laboring, the Christain religion was our topic." It was from such fountains the son took in political principles which throughout a life now not short have emphatically governed him.

The first political meeting which he ever attended was one held in the State House Yard in Philadelphia, in 1807, on the occasion of the attack by the British on our frigate Chesapeake. He had up to this time been known only as an ambitious and extremely studious young member of the bar. He made an animated and vigorous speech on the subject of the wrongs we had received from England generally, and on this last outrage in particular, which was received with the warmest applause, and introduced him most favorably to the Republican party. Hitherto known but little as a public speaker, he was now looked upon as destined to eminence in this field. The year following brought him for the first time into professional notice. In

Digitized by Google

1808, in a speech that occupied the principal part of the day, he defended the Editor of the Aurora, Colonel Duane, who was prosecuted by the Commonwealth for a libel upon Governor McKean. This speech endeared him very much to his democratic fellow-citizens. There was a soundness in its political doctrines, and an eloquent fearlessness in its whole character, that seemed to entrench him at once in their warm affections. As an incident illustrative of the effect produced upon the friends of Colonel Duane by Mr. Rush's powerful appeal for his client, it may be stated, that one of the oldest democrats, who heard it, embraced him when he concluded, and took him up in his arms, while loud plaudits were heard throughout the court room. After this speech business at the bar poured in upon him rapidly. In this connexion he has often spoken, and always in terms of grateful acknowledgment, of the early professional friendship he received from the present Judge Hopkinson of Philadelphia, in all ways in which it could be cordially afforded to a young tyro at the bar.

At the succeeding Congressional election, that patriarch of the democratic party in those days, and friend of Mr. Jefferson, Thomas Leiper,* together with Col. Duane and Dr. Lieb called on Mr. Rush and asked him to allow his name to be placed among the candidates for Congress; but he declined, being at that epoch intent upon his profession. But he continued to receive ever afterwards manifestations of marked attachment and confidence from these and other champions of the democratic cause. Colonel Duane was unbounded in his thankfulness for his defence of him, and sent him a large fee—which was declined, Mr. Rush considering him as a persecuted man. Public bodies in Philadelphia, composed of democrats, now spontaneously made him their counsel and solicitor, as the Board of Health, the Guardians of the Poor, and other democratic functionaries, of the Northern Liberties.

In January, 1811, Governor Snyder appointed him Attorney General of Pennsylvania. His practice was now increasing daily. In the spring of this year a misunderstanding between Mr. Brown and himself (Peter A. Brown, Esq., of the Philadelphia Bar) led to a duel. Neither party received any injury, and it is to the credit of both, that the event did not interrupt the courtesy of their subsequent intercourse. As Attorney General, he was necessarily brought into much intercourse and correspondence with Governor Snyder and his associates in the State administration, then consisting of the powerful democrats of the State of that era, viz.: Mr Findlay, afterwards Governor of the State, now Treasurer of the Mint; General Porter, father of the present Governor; Mr. Boileau, Mr. Bryant, and Mr. Cochrane—the esteem and confidence of all whom, as well as of the members of the

* Mr. Jefferson was heard to say, that the tables of Dr. Rush, Major Butler, of South Carolina, and Mr. Leiper, were the only ones in Philadelphia to which he was ever invited during those days of Federal persecution; and that the Federalists used to cross the streets to avoid him.

Digitized by Google

Legislature whom he used to see in his visits on business to the seat of the State government, he gained in a high degree.

At this point of time, and a little earlier, national politics had grown to be of intense interest. The state of our relations with both England and France, the multiplied wrongs we had received from both, and the peculiar aggravation and malignity of those from England, as they included impressment and the killing of our citizens with her cannon off our shores, rendered a war with one or the other country almost inevitable. Home questions of a highly exciting nature also existed, and were of daily discussion in the press; among others, that of renewing the charter of the old Bank of the United States. The files of the Aurora, of which Col. Duane was still Editor, contain Mr. Rush's contributions on this subject against the renewal of the charter, on Mr. Madison's original ground of its unconstitutionality. His father, though never in active politics, nor at all a party man, after the Revolutionary struggle ended, was nevertheless always opposed in his opinions to the banking and paper systems, and corresponded with Mr. Madison on the funding system; in the strong condemnation of which he joined. The son had been deeply indoctrinated in the same opinions. Hence his opposition to the recharter of the late Bank of the United States is in unison with his early convictions; as has been the case with thousands, owing to the usurpations of the late bank; for these usurpations all honorable and correct merchants, like the Presidents of the first Bank of the United States, old Thomas Willing of Philadelphia, and David Lenox, though of the Federal party, would have joined in condemning, as having sprung from a reckless school of foul and unwarrantable speculation, not from any of their maxims of banking. Thomas Willing would have gone to the rack before he would have issued as currency the notes of a defunct bank, have brought down upon himself a penal statute from Congress.

In November, 1811, on the appointment of the late Judge Duval to the bench of the Supreme Court of the United States, Mr. Madison, then President, immediately nominated Mr. Rush to the office of Comptroller of the Treasury, which Judge Duval had vacated. This appointment was entirely unexpected by him, as it had been unsought; but it seems to have been peculiarly acceptable to the democratic party of his State, whose favor and confidence he universally enjoyed, to an extent never surpassed perhaps by any one at his age. He declined accepting this appointment at first, but wrote to the Secretary of State, on receiving the commission, asking time to deliberate. He did not accept it until he had ascertained from that source, that its duties would raise no official impediment to the occasional exercise of his profession in the Supreme Court at Washington, should he incline to do so. The ensuing January he removed with his family, having married a southern lady, to Washington.

Digitized by Google

The friendship between his father and Mr. Madison was a good passport to the kind dispositions of the latter towards him on his first arrival in Washington; and it was his good fortune to gain the esteem and friendship of that great and good man, and to have been honored with his confidence ever afterwards.

The war having been declared against England in June, 1812, Mr. Rush was selected to deliver a public oration in Washington on the 4th of July immediately following. The occasion was a marked one, and the auditory not less so, consisting of the President, Heads of Department, nearly all the members of both Houses of Congress, besides citizens and strangers—the foreign ministers among the latter. It was delivered in the Hall of the House of Representatives, and made a large addition to his rising reputation. It has been preserved among the repositories of American eloquence; and no more need here be said of it than barely to remark, that in portraying the causes of the war, in order to prove that it was both just and necessary, the views which he gave of the question of impressment showed a perfect knowledge of that whole subject, and have left on record an exposition of it, whether as to argument or rhetoric, force or fire, not easy to have been surpassed on such an occasion; parts of which have passed into the national classicality of our school-books as models of patriotic eloquence. As the contest proceeded, few persons in the country did more towards causing its true nature to be rightly understood. His mind and pen were always active and ardent in explaining and upholding the cause of his country; in exhortation and encouragement under the incessant attacks of the Federalists upon the Administration; the effects of whose opposition undoubtedly were to strengthen the hands of the public enemy. The columns of the National Intelligencer, then the great Democratic paper of the Government and nation, and the Democratic press of Philadelphia, were the influential channels through which his patriotic productions chiefly reached the public; the latter paper, conducted by his zealous friend Colonel Binns, having first given circulation to his communications under the signature of "John Dickinson"—the same signature that he adopted while explaining at a later day, in the Globe, the policy of General Jackson in regard to the French treaty of indemnity. In the session of 1813 his early friend Mr. C. J. Ingersoll, then in the House of Representatives, was his guest in Washington; and their efforts were united, as they have been since, in the cause of their country, the former being at that time her zealous and eloquent champion in Congress. In the summer of 1814, when the war was assuming its greatest fury, and Federal Opposition proportionably augmenting its own, Mr. Rush addressed a letter to the Mayor of Philadelphia, apprising him of Admiral Cochrane's hostile intentions along our shores, before his incendiary proclamations were made public; for which letter he received torrents of Federal abuse. A few weeks

Digitized by Google

afterwards Washington was sacked, its edifices, dedicated to the peaceful arts, and to legislation, burnt, Baltimore approached, and Philadelphia threatened.

In February, 1814, the posts of Secretary of the Treasury and Attorney General being vacant, the former by the resignation of Mr. Pinckney, the latter by Mr. Gallatin having overstaid the time it was kept open for him while engaged in negotiations for peace abroad, Mr. Madison placed either post at Mr. Rush's disposal, leaving the decision with himself. He was then thirty-three years of age. He went into the latter, and thus, as a member of the Cabinet, became associated with the President in his official, as he had already possessed his personal, confidence. His habits of investigation and study, especially in the field of public law, had laid the best foundation for a knowledge of the high duties of this important station. For their discharge he was accordingly always found ready; and by residing in Washington, and ceasing to practice in other courts, he was always at hand. One of his early acts was a letter to the District Attorney of Massachusetts on the subject of our citizens holding intercourse with the enemy by going on board of their ships within our waters or off the coasts; in the course of which, with the lights of a mind imbued with the principles applicable to the belligerent and neutral state of nations, and cognizant of the political obligations of the citizen, he discriminated the cases of lawful and unlawful intercourse with the enemy. This letter was published in the National Intelligencer and elsewhere, and had its effect in helping to disseminate correct views on a subject so important; and the general soundness of the opinions he gave to the different departments of the Government, in all the variety and complication of its service in a state of war, and the changing face of things on a return to peace, has never been called in question. It may be added, that with the exception of one of the terms of the Supreme Court, when he was prostrated by a dangerous illness, during which he was consoled by a daily visit at his bed-side from Mr. Madison for nearly four weeks, he was never found wanting in the prompt and efficient performance of his duty before that high and imposing tribunal, being always ready to proceed with the causes of the United States as they were called on for argument. While a member of the Cabinet, he kept a minute, as long the war lasted, of what passed at every Cabinet meeting, and did the same of events from the first breaking out of the war; noting down from time to time his conversations with Mr. Madison when carrying with them a public interest. Nor must the fact be omitted, that as a cabinet councillor, though youngest in the body, he was the strenuous and unshaken advocate for the most vigorous war measures against the enemy, which the Federalists, at every stage of the war, were endeavoring to paralyze and check; not only by their rancorous opposition to Mr. Madison, whom at last they were for sending to

Digitized by Google

Elba with Bonaparte, but by constantly holding out delusive expectations of peace—declaring always that the British desired it, but that our Administration did not. In proportion to the zeal with which Mr. Rush was known to oppose these and similar unpatriotic and false allegations, did he draw down Federal hostility, and become an object of its unsparing attacks.

While Attorney General, an Act of Congress devolved upon him, in conjunction with the Secretary of State, then Mr. Monroe, the duty of prescribing the plan and manner in which a new edition of the laws of the United States should be published. As the first law officer of the Government, the execution of this duty was chiefly assumed by Mr. Rush. He submitted his plan, which was a comprehensive one, to the Secretary of State, by whom it was approved in all its parts. It directed for the first time the republication at large of all repealed or expired laws and treaties, in order that the progress and history of our whole system of federal legislation, as well as of our international relations, might be traced by easy reference to every law or treaty that had ever had existence in our code. It directed the examination of the journals of the old Congress during the Confederation, with a view to the republication in full of all such acts or ordinances as affected the territorial domain of the States or Union; or as might serve to connect, by a short chronological series, the early official acts of the Revolutionary Government, or those of the Confederation between '83 and '89, with the formation of the present Constitution of the United States. The whole work was superintended by Mr. Rush with the greatest care, and forms the edition of 1815 in five volumes. The first volume, which comprises the documents last described, contains a body of ancient and fundamental law belonging to our Federal and State systems of government, than which no other of the same compass is more valuable at the present day to the student of our political history and to the jurist; and none is more authentic, since every document was invariably collated with the original roll deposited in the Department of State, where the original roll existed. His plan is published at the commencement of the edition, and may be consulted with advantage by any one desirous of embodying in the best forms the statutory code of any of our States, as it has formed the model for that of the Union.

On Mr. Monroe's installation in the Presidency, in March, 1817, he appointed Mr. Adams Secretary of State, recalling him from the London mission where he then was. Until he could arrive in the United States, Mr. Rush was commissioned by the President to act as Secretary of State. This appointment being temporary, only a partial share of its duties devolved upon him. He corresponded with the Spanish Minister, Mr. Onis, on our relations with Spain; held interviews with the Abbé Correa, Minister from Portugal—but still better known as the venerable sage and philosopher of Portugal, and friend of Mr.

Digitized by Google

Jefferson—on our relations with that country produced by the revolution in Pernambuco; and concluded an arrangement with the British Minister, Mr. Bagot, by which it was stipulated that Great Britain and the United States should reciprocally dismantle their naval forces upon the northern lakes, limiting it to one vessel on each of the lakes, of not more than one hundred tons burden, and armed with only one eighteen pound cannon. This was the principal diplomatic business which added itself to the ordinary routine of the home business of the Department during the season he was connected with it. But he has often spoken of it as one that afforded him a rich treat by the opportunities it opened to him of reading, in the original, the correspondence of our early and illustrious diplomatic men—Franklin, the elder Adams, Jefferson, Jay, and others of Revolutionary fame. The volumes containing it were sent to his house after office hours, and he was enabled to revel in these pages of political wisdom, sagacity, and knowledge, from men whose names may be said to mark an era in diplomatic history, and the treasures of whose minds are generally conveyed in a style of such classic purity. Mr. Adams arrived in the United States towards the latter end of the summer, and soon afterwards entered upon the duties of the Department, of which Mr. Rush had been the incumbent for six months.

The contest for Governor between Mr. Findlay and Mr. Heister coming on at about this time in Pennsylvania, Mr. Rush's devotion to the interests and prosperity of his State would not allow him to be a mere spectator of it although residing in Washington. He took an active part in the election with his pen, exerting his utmost zeal in favor of the Democratic candidate, Mr. Findlay, who was taken up as the successor of Governor Snyder—that pure patriot and wise Chief Magistrate, so long the favorite and boast of Pennsylvania. One of his pieces that appeared in the Democratic press was republished in Philadelphia in the pamphlet form, and circulated throughout the State with acknowledged advantage. He had the satisfaction to witness the success of his friend and candidate, Mr. Findlay, in opposition to his Federal competitor.

On the 31st of October, 1817, the President appointed Mr. Rush Envoy Extraordinary and Minister Plenipotentiary to the Court of Great Britain. It may be supposed that his previous pursuits and training had qualified him for this new station, which came to him as unsolicited as it was naturally gratifying at his time of life. It opened at that era of our affairs a wide and dignified sphere of public duty. The war with Great Britain over, it became an important object with our Government to settle a great number of questions remaining unadjusted with that nation, the discussion of which in time of peace might give better hope of useful results than had ever been accomplished anterior to the war, when practical wrongs were constantly producing an irritated state of feeling between the two coun-

Digitized by Google

tries. To Mr. Rush were to be confided the high duties and negotiations to be entered upon in these hopes. Mr. Adams, with his happy command of resources for compliment, as of resources for everything, perceiving that while temporarily in the Department of State he had been aiming to make himself acquainted with our foreign affairs, jocosely remarked, before he took his departure for England, that he should have to treat him as Henry IV. did Sully when he sent him as ambassador to England—"make him write his own instructions." With the ample and able ones of Mr. Adams, Mr. Rush embarked with his family from Annapolis for London in November, 1817, in the Franklin seventy-four, Commodore Stewart.

The incumbent of the London mission is at all times loaded with a crowded variety of business, direct and incidental; and it would be in vain, in a limited sketch like this, to attempt an enumeration of a tithe of all that fell into Mr. Rush's hands while on this mission, during the prolonged term of more than seven years. His official correspondence, which may be seen in some six or eight folios in the Department of State, attests that he was no idler. He wrote also largely to the President in the shape of private and informal letters, from the first year of his residence to the last, besides maintaining, under Mr. Adams's instructions, a regular correspondence with all our foreign ministers and diplomatic agents in Europe and on this continent; in order that in that great centre of political and commercial affairs where he was stationed, he might be constantly receiving and imparting information to bear usefully on the knowledge of our own foreign interests in all their broadest relations. The first regular negotiation upon which he entered with the British government was in August, 1818, in conjunction with Mr. Gallatin. The subjects brought into it were manifold—1. The slave question under the treaty of Ghent. 2. The Fisheries. 3. The North Western Boundary line, and Columbia River questions. 4. The renewal of the commercial convention of 1815. 5. The intercourse between the United States and British West India Islands, and that between the United States and their North American colonies, inland and by sea. 6. Impressment. 7. The law of blockade. 8. The colonial trade in time of war. 9. The law of contraband, and various minor questions. After ample discussions, which continued until the 20th of October, the plenipotentiaries of the two nations agreed upon and signed on that day a treaty or convention, by which the following points, from among the above contested ones, were arranged:—1. The Fisheries, securing to us the right to fish off certain coasts and islands of the British possessions north of us, and within their bays and harbors; whereby an imminent prospect of collision between the two countries was prevented, the British contending that we had lost all our fishing rights under the old treaty of 1783 by the war of 1812; which we denied. 2. The boundary line from the Lake of the Woods. 3. An article effecting

Digitized by Google

a temporary arrangement of claims beyond the Rocky Mountains and to the Columbia River. 4. A prolongation for ten years of the commercial convention then in existence between the two countries. And 5. an article that laid the foundation, through an umpirage by the Emperor of Russia, of indemnification to our southern citizens whose slaves had been carried off by the British ships at the close of the last war, in violation of the treaty of Ghent. Besides the joint official despatch from Mr. Gallatin and himself, containing the report of this negotiation, with all the arguments, as published among our State Papers, Mr. Rush transmitted to Mr. Monroe a full account of it in a separate communication taken from his own private journal kept of every day's proceeding.

He did not, while in England, confine his attention or his communications to business strictly official, but extended both over a wider surface, in the hope of making his public residence there useful to his country in other things. On the state of European politics generally he wrote whenever deriving information from sources other than those opened by the press to all; and it was his habit once a year to present to the Secretary of State, from personal observation and inquiries, parliamentary documents examined and digested, and all other sources of information accessible, besides general views of the internal state of the British Empire, as regarded commerce, manufactures, her institutions of public force and finance, and other statistical matter. To the great naval establishments of England he gave, at all intervals, an especial attention; visiting several times, from an ardent attachment to the interests and glory of our own navy, and a personal fondness for such inquiries, the great naval arsenals of England, and transmitting, as voluntary communications to the Navy Department, or board of Navy Commissioners, or to some one of our naval constructors, whatever struck him during these visits that appeared to be worthy of note. He did the same—and particularly in letters to Commodore Rodgers as President of the Navy Board, and to Commodore Decatur as his personal correspondent—whenever obtaining, through his intercourse with those who directed the naval administration of England, information that he thought might be of use; carefully mentioning new plans that were executing or projected, and new inventions for carrying forward naval science.

The execution of Arbuthnot and Ambrister, for joining the Seminole Indians who were at war with us, raised at first a prodigious flame in England. The fact of the commanding general of an American army hanging two British subjects contrary to the sentence of a court martial, was at first blush startling to the English. They could not understand it, and seemed horror-struck. This event devolved upon Mr. Rush an important and delicate duty. The stocks fell under the first shock of the news, from an apprehension that war would follow. Our Minister was anxiously looked to by the British

Digitized by Google

government for the necessary explanations. Note upon note came to him from Lord Castlereagh bearing the endorsement, "Immediate." His interviews with him were frequent and prolonged, and with what discretion, united to firmness, he carried himself on that whole occasion, his official despatches to our Government will attest. He had to defend General Jackson against the whole array of the British Cabinet, with Lord Castlereagh, Lord Liverpool, and Mr. Canning in the van, one and all of them prejudiced against him in the beginning, in common with the British public at large and both Houses of Parliament, to an extent not easy to be conceived—to such an extent indeed that Lord Castlereagh declared, that "*war might have been produced by holding up a finger.*" Wretch, tyrant, ruffian, murderer, savage of hell, were among the epithets that the newspapers of London lavished upon him. Mr. Rush has often recurred to this period, in conversation with his friends, as one of extraordinary interest, and to himself as the most anxious of his mission; mentioning among other anecdotes, that a deformed and hideous picture of the General was paraded in the streets, the men who held it up on a pole bellowing forth, in vociferous repetition, "JACKSON THE MURDERER!" But the defence of our hero, while an anxious task, was triumphantly accomplished on all the points on which he had been assailed, by the patriotic zeal, knowledge and conciliatory course of Mr. Rush, aided by the powerful and just exposition which Mr. Adams had given of the case in his celebrated letter to Mr. Erving, our Minister in Spain, a copy of which was sent to him. Mr. Rush distinctly justified our heroic and traduced chief on the ground of *humanity* as well as all the grounds of public law; and showed the imperious necessity of making an example of these two men, who, worse a great deal than the savages themselves, stirred up the latter to the butchery of our citizens along the frontier, and to the slaughter of whole families, women and children included, in methods of atrocity to make humanity shudder.

Mr. Tompkins was at this time Vice-President of the United States, but was taken up in 1820 as candidate for Governor in New York, and ran against Mr. Clinton. Had he been chosen, a vacancy would have existed in the Vice-Presidency, and the country was beginning to bend its thoughts towards a successor to Mr. Tompkins in the event of this contingency. A Democratic Convention that assembled that year at Lewistown in Pennsylvania, from all parts of the State, for the re-nomination of Governor Findlay, that able head of the party at that time and sterling champion of their principles and cause at all times, also nominated Mr. Rush, although in England, for the Vice-Presidency, in case the contingency in question should occur—the most signal mark of confidence that could then have been reposed in him by the Democracy of Pennsylvania. To so impressive and endearing an evidence of confidence and affection from his native State he

Digitized by Google

was deeply sensible, and clung to it as a proud trophy in a foreign land. To be remembered at all when absent is gratifying—to be so remembered doubly gratifying, as it holds up to the world of strangers an authentic proof of qualities and merits being appreciated where they have been longest and best known.

A remarkable incident in Mr. Rush's mission to England was the overture of Mr. Canning to him in the summer and autumn of 1823 on the subject of the Spanish American states. It had been a regular part of his duty to watch over the interests of these rising states, a duty which he never failed zealously to perform, above all in striving to conciliate, in all just ways and upon all proper occasions, the good will of the Court and Cabinet of England in their behalf; towards which end he had repeated interviews with Lord Castlereagh in all the earlier parts of his mission, and there are authentic testimonials of the good service he rendered to the great cause of human liberty in South America in these ways during his mission. At his domicil the informal representatives and agents of the new states who flocked to London throughout a period of five years, found a hospitable reception, social countenance, and the warmest political sympathy; to which the Garcia del Rios, the Paroissiens, the Ravengas, and other distinguished names of the new states, could bear testimony. But in the autumn of 1823, their cause, prosperous as it had been up to that time, began to look gloomy. France, under the old Bourbons, had made war upon the constitutional system of Spain; the Duke D'Angoulême had crossed the Bidassoa, with a French army of eighty thousand men, and announced in his proclamations, almost in direct words, an intention, in which the Holy Alliance were to join, of stretching their united arms across the ocean to reinslave Spanish America as soon as they should have cloven down liberty in old Spain. The French troops were rapidly making their way through Spain, and Cadiz, the last strong-hold of the constitutional party, was soon expected to fall. England got alarmed. Mr. Canning was then Foreign Secretary. He approached Mr. Rush, as the plenipotentiary of the United States, to sound him on the policy of the two nations interposing, by some formal convention or other joint act, their influence and determination to check the execution of the dangerous schemes of this unholy confederacy of Emperors and Kings. Notes passed and conferences were held of a highly confidential nature between the two functionaries, which have never been published by either Government. It is generally understood that Mr. Rush declined pledging his Government to anything, unless England would place herself in equal condition with the United States, by acknowledging, as the latter had then done, the independence of the new states, assigning his reasons why she should take this step. In that event Mr. Rush declares his readiness to throw himself in the breach, and assume the responsibility of taking the joint measure proposed by Eng-

Digitized by Google

land, though without instructions from his Government, for which there was no time to wait. England declined to take at that time the step which Mr. Rush required. The latter kept our Government fully informed of what was going on by the earliest possible opportunities, and had the satisfaction to receive its approbation of his whole course under an emergency so critical. This was the more acceptable to him as he was thrown entirely upon his own judgment from the beginning to the end of the emergency. Mr. Monroe was heard to say, that if the Cabinet had been at his elbow, step by step, he could not have acted more to his satisfaction. His communications were the key to those memorable declarations in Mr. Monroe's Message of the second of December, 1823, received with such enthusiasm by the whole country, that the United States could not behold such an interposition by the Holy Alliance "in any form with indifference;" and that "*the American continents, by the free and independent condition which they had assumed and maintained, were henceforth not to be considered as subjects for future colonisation by any European power.*"

In Stapleton's Life of Canning this important subject is touched, the author remarking, that—"Towards the latter end of August, 1823, Mr. Canning sounded Mr. Rush, the then Minister of the United States in this country, as to whether in his opinion the moment were not arrived when the two Governments of Great Britain and the United States might not come to some understanding with each other on the subject of the Spanish American Colonies; and whether it would not be expedient for themselves, and beneficial for the world, that the principles of it should be clearly settled and plainly avowed." The work adds: "As that gentleman's answer is written in the same spirit of confidence, it will not be right, and fortunately it is not now material, to state the nature of that answer, farther than to say that in every respect it was highly creditable to its distinguished author."

Mr. Rush desired to return home to his country in 1823, and wrote to Mr. Monroe to that effect. This was prevented by a very extensive negotiation being put into his hands by the Government in that year, which did not close until August, 1824. Its important and onerous duties had the effect of prolonging his stay until the year following. The negotiation was one of unusual compass, and embraced questions of novelty as well as great magnitude. The right of the United States, on grounds of natural as well as public law, to the navigation of the River St. Lawrence in its whole length and breadth, to and from the sea, was on this occasion for the first time brought into discussion with Great Britain. Their right to the territory west of the Rocky Mountains, and their rights along the North West coast of America, were also asserted and discussed in a manner far more full and explicit than in his former negotiation jointly with Mr. Gallatin. The West India Trade question, under various new lights since the former

Digitized by Google

negotiation, was most copiously treated; the North Eastern Boundary question, now grown to be so formidable, was handled under some of its earlier aspects before being submitted to the King of Holland; several maritime questions of great moment, and various other points and topics of high international concern, which it does not fall within the purpose of such a sketch as this even to enumerate. Foreseeing the great labor, and still more the responsibility, of so complicated a negotiation, he was desirous of a colleague; more especially as two plenipotentiaries, Mr. Huskisson and Mr. Stratford Canning, were appointed on the side of Great Britain, with the opportunity of constant access to the British Cabinet during its progress. A special Secretary was also appointed by England to keep the records of that negotiation,—in so important a light was it regarded. That the Government did not grant Mr. Rush a colleague must be taken as a proof of its confidence in his unassisted ability and prudence. Mr. Adams's instructions were full and able, as they always were to our foreign Ministers; but in the course of a negotiation of such magnitude and scope, it must needs have happened, and did, that he would be often left to the resources of his own mind to solve difficulties not anticipated, and meet discussions started by the occasion. His full report of the whole negotiation at its close, though writing to the Government from time to time during its pendency, is contained in an official despatch to the Secretary of State dated the 12th of August, 1824, comprising sixty closely printed pages, as published by the Senate in January, 1825; which is not mentioned as a merit, but only as a proof of the compass of its matter, its merit rather consisting in its condensation. Although no treaty was effected by this negotiation—(except one for a restricted concert of naval operations between the two powers against the slave trade, which the Senate did not ratify)—much was done towards ascertaining the policy and views of Great Britain, on many points of great importance, a little of which may be here mentioned. She refused to entertain proposals from the United States for abolishing privateering, and all war against private property upon the ocean—a great consummation to humanity if it could be effected, and which the example of England and the United States probably would have effected with all nations. But England turned away from it instantly, under the proposals Mr. Rush made—in a manner scarcely to have been expected, considering her overflowing zeal to get rid of the slave trade. We are unavoidably driven to account for her determination to continue practices so intrinsically barbarous, and the principle of which has long been given up, among civilized nations in war upon land, by recollecting her own large means of privateering, and capturing private property in war upon the ocean. She refused to depart from the ground she had taken on impressment in the negotiation of 1818—that is, she would not surrender her alleged

Digitized by Google

right to enter our vessels on the high seas to search for her men, unless we would give her previous guarantees that none were on board, of a nature that we had told her, in the negotiation of 1818, it was not practicable to give. She scouted our claim to the navigation of the St. Lawrence. She would hardly listen to it with patience, as the protocols of the negotiation attest. *She denied Mr. Monroe's principle in regard to colonization on the American continents*, declaring her own right to colonize on all parts of it unoccupied, as fully as when she made her Nootkah Sound convention with Spain in 1790. She claimed the right of navigating, equally with ourselves, the Columbia River; and Mr. Rush is known to hold the opinion that we shall probably not find it an easy task to obtain the recognition of our rights from her west of the Rocky Mountains, or on the coast of the Pacific. All these and other subjects of international concern between Great Britain and this country are gone into with great care and research in the despatch from him mentioned, to which the critical posture of our affairs with England at the present moment cannot fail to give deep interest. He holds the opinion indeed, that she will proudly and sternly cleave to her entire colonial dominion on this continent, and be little likely to yield up any part of it without an earnest struggle.

When Mr. Adams was chosen President by the House of Representatives after the fierce contest among the four rival candidates in 1824, he appointed Mr. Rush Secretary of the Treasury, and called him home to take charge of that Department. Having been so many years out of the country, he had not participated in the angry strife which that memorable election engendered; but had taken post upon the old democratic principle of the *caucus*, under which Mr. Jefferson and Mr. Madison had been elected; and was in favor of Mr. Crawford, the caucus candidate. This being known through his private correspondence, those of his Democratic fellow-citizens in Pennsylvania who went for the same candidate placed his name at the head of the Crawford electoral ticket, his return home being then expected in time to vote, should that ticket succeed. He left London in June, 1825, leaving behind him in England a high character, which a long residence and large social intercourse had earned, both for solid qualities and gentlemanly courtesy; and arrived in the United States in July. He found surrounding Mr. Adams, in the new Cabinet, Mr. Clay, Mr. Barbour, Mr. Southard, Mr. Wirt—all of them men whose public lives, like his own, had been identified up to that epoch with the Democratic Party. Separated for some years from our home affairs, and having given no special attention while abroad to our Treasury concerns, it was his wish, on returning, if the President had thought the change proper, that Mr. Southard should be in that Department, and he be assigned to the Navy Department; investigations

Digitized by Google

in the latter sphere having engaged large portions of his time and attention in the great naval kingdom where he had been residing. The President deciding against a change, he entered with great industry upon the duties of the Treasury, devoting himself to them exclusively, and with an application the most resolute.

His reports to Congress while in that Department are now, like his negotiations abroad, part of our history, and in that light will be judged. He was a strenuous advocate for American manufactures, as were nearly all the middle, northern, and western portions of the Union at that time; though our intervening history and present condition have unavoidably changed the nature of that question, as was admitted in a letter published by Mr. Rush himself last fall. He neither advocated prohibition, nor permanent protection, as means of encouraging our manufactures—limiting his recommendations to such aid only by law as would be required to give them a start against the pre-existing skill and superior capital of older nations. He inculcated uniformly and as strongly the policy of fostering the other great branches of national industry in all ways just and practicable. A reduction of duties on teas and wines, still high when he came into the Department, were favorite measures with him; and his full report to the House of Representatives on the growth and manufacture of silk, prepared and transmitted in 1828, in compliance with a previous call, may be considered as having given the first impulse to that valuable pursuit among us, destined as is believed by many, to become at no distant day so great and productive a source of home industry throughout the United States, south, middle, east, and north. His ample report to the House of of Representatives in 1826, on an enlargement of the warehousing and drawback systems, is a direct appeal to Congress for encouraging, by legislative assistance in these ways, our commerce with all parts of the world upon the broadest and most liberal scale. He was for outstripping England in these as the liberal points in her commercial system, instead of keeping behind her; dwelling upon them also as the points that had mainly conducted to the commercial grandeur of Holland, and as especially proper for the United States to make the most of, at an era when the emancipation of all Spanish America opened such boundless fields to a new carrying trade, which it was their true policy to seize upon. Thus, the partisan of no one branch of industry in particular, his reports show an enlightened estimate of the various interests of agriculture, manufactures, and commerce, all in combination, as the true road to national wealth and power; and—whatever the degrees in which different readers may coincide with or dissent from them—they evince a range of thought and familiarity with the commercial policy of other nations now and heretofore, especially England, that fully qualified him to counsel with the representatives of the nation on the best means of promoting the nation's in-

Digitized by Google

terests in connexion with these large views which his sense of his duty prompted him to suggest and develope from the Department he filled.

Mr. Rush was was very much the slave of his office while in the Treasury Department, never having been absent a day from its duties during the three years and a half that he held it, except on one occasion when he was confined to his house by a week's illness. Towards the close of Mr. Adams's Presidential term, his name was placed on the ticket with that of Mr. Adams, as a candidate for the Vice-Presidency, and he received at the election that followed the same number of votes that Mr. Adams received for the Presidency—General Jackson being then chosen President, and Mr. Calhoun Vice-President.

He ceased to be Secretary of the Treasury in March, 1829, when General Jackson's administration commenced, and a couple of months afterwards went to England at the united request of the City of Washington and towns of Georgetown and Alexandria, to negotiate for them a loan of a million and a half of dollars, which Congress had authorized them to make at *six per cent.*, for the purpose of meeting their subscriptions to the Chesapeake and Ohio Canal. The credit of these places being supposed to be but little known in Europe, no sanguine expectations of his success appear to have been entertained. There were merchants in Baltimore who alleged that he would not obtain it under *twenty per cent.*, and bankers in Philadelphia who predicted that it could not be got at all. His first attempts to get it in England were not successful. In July he crossed over to Holland, where he was also thwarted at first, and returned again to England, where he encountered adverse influences a second time; and did not, as hinted in his communications, consider himself as having been treated with any extreme measure of liberality by the Barings. Staying in London throughout the autumn, and waiting events, a correspondence was opened between himself and the house of the Cromelines of Amsterdam —that ancient house of scrupulous honor, and endeared to the United States by having been first to trust them in their glorious but perilous Revolutionary struggle. This correspondence was actively yet silently carried on for some months, and ended in Mr. Rush's obtaining the whole loan at *five and a half per cent.*, with which he returned home in January, 1830. He made a full report of his proceedings to his three constituents, and the City of Washington published it. The municipal government of the City, and that of each of the towns, passed resolutions approving of his course in the whole matter, and thanking him for his judicious and successful exertions. This trip to Europe renovated his health, which has since been uninterrupted.

Soon after his return he removed with his family to York, in Pennsylvania, his native State. To this change he was mainly impelled from the more favorable opportunities it would afford of superintending the studies of his children, than a large or commercial city, and

Digitized by Google

from the attractive localities about that ancient town, once the seat of our Revolutionary Congress. The Antimasonic question was then raging in Pennslyvania, and a new one to him. At leisure to examine it, he did so. Taught by his principles to regard combinations and monopolies of all kinds as adverse to the interests and rights of the many in favor of the few, he became convinced of the abuses to which Masonry might be put in the hands of ill disposed and weak minded men, and expressed his convictions fervidly in several public letters, that circulated widely in those portions of the country where the Antimasonic principle prevailed. These letters so recommended him to the Antimasons, that the leading members of that party in Lancaster County, the head quarters of its strength in Pennsylvania, formally solicited him in a public letter to let his name be held up among those from whom they intended to select their candidate for the Presidency at their convention which was to meet in Baltimore in the autumn of 1831. This he declined, having expressed his opinions and written his letters with no selfish views. The convention, not having Mr. Rush's name before it, nominated Mr. Wirt. It was scarcely doubted by any one, that Mr. Rush would have received the nomination had he consented.

In 1833 he removed to the county of Philadelphia, where he now lives, in a maternal home. In September of this year came out General Jackson's famous cabinet paper setting forth the causes that made it his duty to remove the public deposites from the custody of that perfidious institution, the Bank of the United States. Opposed to the recharter of the old Bank, Mr. Rush had, nevertheless, as a member of Mr. Madison's cabinet in 1816, gone with that illustrious statesman, with Alexander James Dallas, that renowned and accomplished champion of the democratic cause in those days, and a host of others of the some faith, in concurring in a new Bank of the United States, supposed to have become necessary, in the disordered state of the finances which the factious efforts of Federalism to pull down everything during the war had produced; and with thousands of Democrats, including all Democratic Pennslyvania, had sustained the new bank while it acted honestly. But in General Jackson's exposure of its misdeeds all such beheld the necessity of its downfall. Mr. Rush in particular could not fail to see, in the democratic principles he would have applied to Antimasonry, a tenfold stronger ground of alarm at the conduct of the Bank; for here was an institution whose sway was over the whole Union, using its unlimited millions in corrupting the press and controlling the laws; and these had been the allegations against the associated power of Masonry—whether rightfully or not, we are not now arguing. The difference was so great, that any parallel would be absurd; for while it was said by Antimasons that the ties of the lodge influenced the administration of

Digitized by Google

law through the jury box, it was evident that the corporate power of the Bank, wielding its tremendous money power, struck at the entire root of legislation itself. It was able, as the end has shown, to set at defiance the very Constitution of the United States, the latter providing that only gold and silver shall be money; while this bank, by its career of law-breaking, fraud, and despotism, has at length fairly got the better of this Constitutional provision, and we have seen through its means irredeemable rags legalized as money by the legislators of several of the States. Hence it has undermined and uprooted the very attributes and powers of popular sovereignty.

The timely and fearless stand he took in justifying the removal of the deposites, as a step of imperious necessity and of the highest wisdom, was in unison with the democratic principles identified with his education and his public life. It endeared him to the democratic party of the nation, who had been no stranger to his early name and long exertions in that field. He came to the rescue at a critical epoch, when the timid and calculating held back, when some of the stoutest hearts quailed under the terrifying proscriptions of the Bank of the United States. The letters that he continued to write from time to time, under calls made upon him, sometimes from States distant from his own, through his well known national name, powerfully laid open the enormities of that unprincipled institution. It may perhaps be affirmed that few, if any, of our public men among his contemporaries, have been more before the public than Mr. Rush, as a political writer. The posts he has held in the service of the Republic have made him a writer, while all his intellectual aptitudes and personal qualities seem calculated to have given him rank among its public speakers. With a mind of rich mould—an admirable knowledge of men—with information gathered from a wide scope of lonely study and extended practical observation—with a ready command of language, advantages of voice, ardor of temperament, controlled by judgment, purity and boldness of heart—had his career thus far been in our national legislature, rather than in executive and diplomatic duties, he would have found before him a wide field for useful and distinguished service. But these aptitudes and qualities have come to his aid in political discussion with his pen. His political essays are in a style popular, interrogatively argumentative, dignified, and bold. Restrained and mild in all his personal relations, he applies the lash of argument, in the cause of offended truth, with strong and skilful power of attack, and with entire fearlessness.

His strongest political essay, as a single production, is perhaps the letter written by him in the fall past, to some of the citizens of Berks County in his own State, and largely republished out of Pennsylvania. The letter addressed to him asked his views upon the "questions of financial policy connected with the Independent Treasury and the

Digitized by Google

present suspension of specie payments," and was from thirteen of the truest and oldest names of that old democratic county. Mr. Rush's reply has embodied and explained in a condensed and masterly way the flagitious course of the Bank of the United States throughout America and in Europe, as mainly causing the suspension; takes strong views of the necessity and advantages of the Independent Treasury; and particularly called public attention to the dangers the Bank of the United States is bringing, and has already brought, upon the highest interests of the foreign commerce of the United States. He dwells upon the rapidly increasing facilities of commercial intercourse between England and India through the Arabian and Persian Gulfs by means of steam, as likely to turn English attention to the culture of cotton in India; and charges it upon the Bank as the worst of all offences against the trade of the United States, that it should have done its best towards making it England's interest to go on with this culture of India cotton, by having, in its criminal avarice, piled up monopolies of American cotton in the warehouses of Liverpool. His views under this head are now but the more striking, as it has been seen by a speech of Sir James C. Hobhouse, in the House of Commons, on the 27th of February, who is a member of the Cabinet, and President of the India Board of Control, how seriously the English are beginning to look to their possessions in India for their supplies of raw cotton.

In the latter end of March, 1835, a most angry dispute existed between the State of Ohio and the Territory of Michigan, on the subject of their respective boundaries. It had risen to such height that the prospect of bloodshed seemed imminent. In this extremity President Jackson anxiously called upon Mr. Rush, in conjunction with General Howard of Baltimore, to repair to the scene of dispute, in the capacity of representatives of his friendly solicitude, and charged with his constitutional powers as far as he could exert them, to ward off so frightful a calamity among brethren of the same family. They promptly consented, and there being not an hour to lose immediately set off. Travelling day and night, they got to the scene of border preparation and strife by the time desired. Though no final arrangements were, or could have been, effected by them under the circumstances, their earnest mediation was zealously interposed between the parties, with at least the advantage of a temporary abatement of their exasperation, and gaining time for ulterior arrangements. They returned after a few weeks' absence, their conduct, on that angry and threatening emergency, meeting the President's entire approbation.

In the summer of 1836 Congress passed a law accepting the legacy of about one hundred thousand pounds sterling that had been bequeathed to the United States by James Smithson of London, for the purpose of founding at Washington an institution "for the increase

Digitized by Google

and diffusion of knowledge among men;" and authorized the President to take measures for its recovery. General Jackson immediately applied to Mr. Rush to go to England for that purpose. He had previously declined political office tendered to him by General Jackson, but acceded to his wishes, made known in a gratifying manner, to take in hand this trust. He arrived in London in September of that year; and on Mr. Van Buren's election to the Presidency, in 1837, was continued in the trust by a new commission from him. In August, 1838, he returned with the whole sum, upwards of one hundred and four thousand pounds sterling, which was safely deposited in gold at the Mint, to the credit of the United States, a few days after his arrival. The right of the United States to this bequest had got entangled in the English Court of Chancery; and the fidelity, promptitude and economy with which Mr. Rush succeeded in vindicating their right, and realizing the sum for the United States, are best attested by his letters to the Government which have been published by Congress. "Unfit as I am for Heaven," said Warburton, "I had rather hear the last trumpet than a citation from the Court of Chancery to pass my life there." Mr. Rush at least was more fortunate. This being the latest trust with which he has been charged by his country, it is here worthy of remark, that in all the public trusts committed to him he has borne himself with the most perfect integrity, and been scrupulously correct in all that related to money. His charges for contingent outlays during his long mission to England, when sent to Congress, drew notice from that body, and from the press, by their smallness; and no account, charge, nor item of any kind whatever, has ever stood against him on the public books after he left an office.

While attending to this trust in London, he beheld day by day in the newspapers there gross misrepresentations of the opinions and policy of the anti-bank party in the United States, mingled with coarse defamation of General Jackson and other high names of our country belonging to that party—the whole stimulated by the Whig papers of our own country that flowed in by every packet, to say nothing of the Anglo-American houses in London, headed by the Barings and their hangers-on, ever ready to lend countenance to it all. In this condition of things, with no corrective to such perpetual misstatements and unworthy calumnies ever appearing in the London newspapers—for none would publish it—Mr. Rush caused to be reprinted there, in the form of a pamphlet, Mr. Van Buren's letter to Sherrod Williams, written when the former was Vice-President; by which the London public, before whom the highest American names were thus being held up in daily disparagement, might see, not a partisan and scurrilous, but a statesman-like and gentleman-like view of the bank question. For this act he was furiously abused on both sides of the water, by the Whig papers of the United States and by the

Digitized by Google

London stock-jobbers. This was perhaps to have been expected; but it was not to have been expected, that for such an act of simple justice to the majority of his countrymen, and to the functionaries of his Government in a foreign land, the extraordinary spectacle would have been exhibited of his having been denounced by the Whig Governor of Pennsylvania in a public message to the Legislature of that State. Governor Ritner ought to have known better. He ought to have known, as Mr. Rush believed, that the Pennsylvania Bank of the United States, fraudulent in name as well as in nature, was at that time tottering in its resources, and pursuing an unprincipled course. Instead of denouncing Mr. Rush, his true duty, as a well informed and moral Chief Magistrate, would have been to have denounced the Bank; whereby frauds upon a transcendant scale, and mischiefs innumerable that have since burst to light, might have been prevented, a mad career of dishonest speculation arrested, and the American character saved from much odium abroad. Many of the London stock-jobbers themselves, misled by the trickery of our own stock-jobbers in the interest of that Bank, now doubtless wish they had not turned so deaf an ear to Mr. Rush's safer counsels, as the enormous depreciation of its stock in the London market and everywhere gives such sensible reasons for inferring.

Mr. Rush's life, as we have seen, has been engrossed in various departments of most important and honorable service to his country at home and abroad—few of our distinguished men more so. So engrossed, there has not been much time to turn aside into the field of letters, where in early life he would sometimes delight to roam. But what we may term political and diplomatic literature has occasionally been the recreation of his riper years. Little things, falling under this class, have occasionally been thrown from his pen, fugitive it is true in their nature, but here and there one that the public will recollect. Of this stamp is the sketch he gave of the character of Mr. Canning, when the shock of his sudden death reached the United States in 1827, soon after he had arrived at the pinnacle of all his hopes, as well as the height of British power for a subject—the Premier-ship. The sketch appeared in the National Intelligencer, almost on the day after the news came, when Mr. Rush was at the head of the Treasury, and was the work of a few hours stolen from sleep, as his friends have often heard him say; but which his full knowledge of Mr. Canning's character from long intercourse and otherwise, in its English, European, and American bearings, enabled him to throw upon paper so readily. This production on reaching England was republished by the most prominent of their newspapers, in most instances with a marked notice of it, and was quoted with applause in the House of Lords.

In 1833, he published a volume entitled "Memoranda of a Resi-

Digitized by Google

dence at the Court of London." This work purports to record some of the public and personal incidents passing under his experience in England during his first fifteen months of his mission. It was almost universally well received in the United States on first coming out, and nearly as much so in England. To the renown of the latter country in peace and in war, and to her social merits, he did liberal justice; but on proper occasions, when America was at stake, showed how above all things the institutions and glory of his own country were nearest his heart. In stating the question of impressment, as belonging to his first negotiation, he necessarily portrayed the wrongs of which England was guilty, as also on some other points of international concern between the two countries—though not in an angry spirit, but the contrary. This was more than enough to draw out the wrath of a work which, whenever it may speak with fairness of any American production, would be evidence, *prima facie*, that it wanted a right American spirit—the London Quarterly Review. With the exception of this work, it met favor from the reviewing world generally in that country, sometimes in a high degree. The Edinburg Review says of it, that the "spirit of a conventional body would not have improved Mr. Rush's private journal;" characterizes his public negotiations as marked by "intelligence, firmness, and straightforwardness;" and has even alluded to them under some points of comparison in connexion with Jefferson's and Franklin's. In describing scenes in private mansions, those of the nobility and many others which his public station opened to him, as Mr. Rush in many instances does, he had in hand a delicate task, but has never on any one occasion violated social confidence, or published an ungentlemanly thing. His book has been out seven years, and the correctness of his narratives and other personal incidents in which the names of persons whom he met in England are introduced, has on no one occasion, that we have ever heard of, been called in question; while there have been numerous tributes to their truth. The Quarterly Review stands alone in having, in its hasty burst of displeasure, questioned their fidelity—and this not on the authority of any name of the hundreds recounted, but on its own assumptions. His book passed to a second edition in each country. He dedicates the second American edition to Mr. Madison. A leading idea of Mr. Rush throughout the book—whether a just or erroneous one, must be a matter of opinion—is, that the power of England, far from being on the decline, or stationary, is on the increase, through the increasing extent and solidity of her resources, and he inculcates the wisdom of our statesmen being on their guard against any supposed falling off in her means of annoyance to other nations. He contends, that during her wars for the last century, she has contrived, by the preponderance of her naval power, to make the increase of her commerce go hand in hand with her wars,

Digitized by Google

and that her riches have gone on increasing in a greater ratio than her debt. As we have spoken of his attachment to our navy, and as it may be that times are near when again its gallantry will be tried, we quote the following page from his book—the very last in it; which, whilst it records a disaster, cannot fail to awaken the liveliest associations of our public glory, as it attests the noblest attributes of our institutions:

"January 26, 1819.—Mr. * * * * * * called upon me. He talked a good deal. An idle rumor was flying about the streets of Bonaparte's escape from St. Helena; the rumor adding that a fast sailing American schooner was in the plot. This led him to speak of the achievements of the American navy, upon which he touched with sufficient complaisance to us sometimes, but wound up with an allusion to the action between the Chesapeake and Shannon. That, on the whole, he said ought to be considered as the fairest criterion of the naval prowess of the two countries, frigate to frigate. I did not argue the point with him, and he soon left me.

"The Chesapeake, it is true, was captured. The British captain won his prize gallantly. Let no American gainsay this, for it is for Americans to rob valor of its renown? We heard how the victory was hailed in England—the more as it seemed to break the spell of a series of naval actions with us that had gone against her. But whatever joy it created there, I believe, nay, I am sure, it could not have equalled the opposite feeling in the United States. I remember—which of us can forget?—the first rumor of it. I remember the universal, the indignant incredulity. I remember how the post-offices were surrounded for several days by anxious thousands; how groups of citizens rode out on the high-ways to catch something by anticipation as the mail approached, under the startling reports that kept coming in. And when at last hope left us, when the dread certainty of her capture could no longer be hidden, I remember the public gloom. I remember the solemn processions, the funeral discourses, the tears that testified it. '*Don't give up the Ship!*'—the last words of Lawrence, slain by the first broadside—were on every badge and on every tongue. His flag for his winding sheet, his body was conveyed by his victors to Halifax, and committed to British earth with honors due to the brave,—but not long did it lie there. A vessel fitted out and manned by the affectionate patriotism of twelve New England sea captains bore it back in mourning honors to his country, where it reposes under the laurel as its cypress; for he, yes, he too, had triumphed in his turn, ship to ship, gloriously triumphed over the proud flag of old England! Others may augur the naval destinies of the United States from their repeated and splendid victories over the English, in the very infancy of the Republic—I, from the grief, the agony, that followed this *defeat*. What was the loss of a single frigate? Not an

Digitized by Google

atom in the nation's strength! But the heart-felt pain it created showed the intensity of public feeling among a people where each one, under their noble institutions, indentified himself with the nation, and seemed as sorely struck down by a public misfortune as by a personal blow. What may not be hoped of such a people in peace and in war, if true to themselves and their happy and glorious Union?"

We have endeavored to give a brief but honest portraiture of the life, character, and public services of Mr. Rush. • From its exhibition much information and instruction can be gained, highly interesting as connected with the history of the country. It holds up to our youth a bright example—and to rising statesmen it demonstrates, as the surest and most certain road to eminence, that to a pure moral character, and strict political integrity, and a well stored mind, must be added an unflinching devotion to principles.

Mr. Rush is of ordinary stature—his frame is of a firm structure—his countenance denotes a thoughtful and gifted mind—his eye, quick, intelligent, and piercing, seems to anticipate his articulation. In conversation he is animated and graceful—in manner eminently distinguished. The reputation he has left behind him in Great Britain confirms what is well known at home, that while the representative of his country near the first court in Europe, he was faithful to her interests and watchful over her honor—and in his more social relations he is remembered with high esteem and friendship.

Enjoying now a voluntary seclusion from an active participation in political life, Mr. Rush devotes his time to those pursuits which are deeply connected with the domestic and foreign relations of the country. At the late election in December last, by the Legislature of Pennsylvania, of a representative in the United States Senate, Mr. Rush was, by a public letter addressed to him by some of his friends in Bradford County, requested to permit his name to be used as a candidate. He declined, however, on the ground that custom had sanctioned the selection of one Senator from the eastern and one from the western section of the State; and as the former was already represented he would not wish his friends to oppose the election of a gentleman from the western part of the Commonwealth.

In contemplating the history of Mr. Rush's public career, whether at home, in the field of State or national politics, in the Cabinet, as the constitutional adviser of the Executive, or as the representative of his country abroad, we are led to hope, that the time is not far distant when his country will again call him from his retirement amid the leafy solitude of his rural home, that the voice of his experience and wisdom may again be heard in the councils of the nation.

Digitized by Google

THE RIGHT OF PETITION.*

The Democratic Review has from its commencement adhered strictly to the resolution then adopted, to stand aloof from the delicate and dangerous topic of Slavery and Abolition. For so complicated has this question become with apparently conflicting principles—and so variously distorted and discolored by the different media through which it is viewed by the champions of the opposing interests connected with it, and of the mutual fanaticisms which its recent agitation has stimulated, in some cases, to the verge of insanity—that while any attempt at a calm and dispassionate discussion of it, on a middle ground of impartial candor, would find but few listeners and fewer converts, we are conscious that it would probably only provoke the emulous hostility of both the conflicting schools of opinion—an effect certainly seriously detrimental both to the work itself and to the distinct and higher objects which prompted its establishment.

From this resolution it is no part of our intention to depart, in discussing the subject stated in the above-written title to the present paper. Although the one subject has been the source out of which has grown the prominence into which the other question has recently risen in our Constitutional discussions, yet the connection between them is only accidental and temporary; it is easy to separate them, and to confine our view simply to that of the Right of Petition, as an abstract Constitutional principle, without regard to any present application of it to the question of Abolition, farther than may be necessary for the illustration of the views in relation to it, which we propose to express, because we think them true and just.

For doing this, which had for some time been in our contemplation, we take advantage of the convenient occasion afforded by the appearance of the able pamphlet on the subject, which has just been published by Mr. Colton, and to which a reference is made below. Characterized equally by cogency and acuteness of logic, liberality and largeness of views, and by sound principles of Constitutional doctrine, it is a very valuable contribution to a discussion which, though much agitated within the walls of Congress, does not yet seem to have engaged that degree of popular attention and interest to which its importance entitles it.

It is not to be denied that a largely preponderating opinion exists throughout the North in favor of the "Right of Petition," in the full

* The Right of Petition, By C. Colton, Author of "Four Years in Great Britain," &c.

Digitized by Google

extreme length in which it has been of late asserted by its special champions whose zeal has been derived from the bearing which it has been made to have upon the Abolition agitation.

Those Northern Members of Congress who on a recent occasion hazarded the record of their names against that extreme assertion of the principle, did so in the face of a formidable responsibility which they must have known to await them among their constituencies;—and done in a spirit of duty to the Constitution and their country, and in honest sincerity of conviction, it was an instance of moral courage from which it is probable that no inconsiderable number shrank who in truth may have participated in the same views of the question.

This question has been a subject of earnest agitation in Congress for several years—on each occasion the strength of the opinion hostile to the high sanctity of the asserted Right of Petition advancing under the process of discussion, and of the attention attracted by it to a question before little scrutinized. The South has always been influenced by its great sectional interest in the present application of the right, to go in united phalanx against it. But after a countless number of times that a vote has been taken, in one form or another, on the question of the rejection of Abolition petitions, and the various resolutions adopted for the summary disposal of them, it was not till the 27th of last January that a majority was found to take the ground of an open, decisive, unequivocal refusal to receive them.

The resolution which was adopted in the House of Representatives in the twenty-fourth Congress, on the 26th of May, 1836, (Mr. Pinckney's resolution) was as follows:

"*Resolved*, That all petitions, memorials, resolutions, and propositions, relating in any way, or to any extent whatever, to the subject of slavery, shall, without being either printed or referred, be laid on the table, and that no farther action shall be had thereon."

That adopted at the first session of the twenty-fifth Congress (Mr. Patton's resolution) on the 21st December, 1837, was as follows:

"*Resolved*, That all petitions, memorials and papers touching the abolition of slavery, or the buying, selling, or transferring of slaves in any State, District, or Territory of the United States, be laid upon the table without being debated, printed, read, or referred, and that no farther action whatever shall be had thereon."

At the opening of the succeeding session of the same Congress, December 11th, 1838, the following series of resolutions was adopted on the motion of Mr. Atherton of New Hampshire:

"*Resolved*, That this Government is one of limited powers, and that by the Constitution of the United States, Congress has no jurisdiction whatever over the institution of Slavery in the several States of the Confederacy.

"*Resolved*, That petitions for the abolition of Slavery in the District of Columbia and the Territories of the United States, and against the removal of slaves from one State to another, are part of a plan of operations set on foot to affect the institution of slavery in the several States, and thus indirectly to destroy that institution within their several limits.

Digitized by Google

"*Resolved*, That Congress has no right to do that indirectly which it cannot do directly, and that the agitation of the subject of Slavery in the District of Columbia or in the Territories, as a means or with the view of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the Constitution, an infringement of the rights of the States affected, and a breach of the public faith on which they entered into this Confederacy.

"*Resolved*, That the Constitution rests on the broad principles of equality among the members of this Confederacy, and that Congress, in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States or another, with a view of abolishing the one or promoting the other.

"*Resolved*, Therefore, that all attempts on the part of Congress to abolish slavery in the District of Columbia or the Territories, or to prohibit the removal of slaves from State to State, or to discriminate between the institutions of one portion of the Confederacy and another, with the views aforesaid, are in violation of the Constitutional principles on which the Union of these States rests, and beyond the jurisdiction of Congress; and that every petition, memorial, resolution, proposition or paper, touching or relating, in any way or to any extent whatever, to slavery as aforesaid, or the abolition thereof, shall, on the presentation thereof, without any farther action thereon, be laid on the table without printing, reading, debate or reference."

And finally in the early part of the present session, the first of the twenty-sixth Congress, after a month spent in the discussion of the subject, the following were adopted—the first on the motion of Mr. Thompson, of South Carolina, and the second on that of Mr. Johnson, of Maryland:

"*Resolved*, That upon the presentation of any memorial or petition praying for the abolition of slavery or the slave trade in any District, Territory, or State of the Union, and upon the presentation of any resolution, or other paper touching that subject, the reception of such memorial, petition, resolution or paper shall be considered as objected to, and the question of its reception shall be laid on the table, without debate or farther action thereon.

"*Resolved*, That no petition, memorial, resolution, or other paper praying the abolition of slavery in the District of Columbia, or any State or Territory, or the slave trade between the States or Territories of the United States in which it now exists, shall be received by this House, or entertained in any way whatever."

In the Senate, after frequent unsuccessful attempts on the part of Southern Senators to obtain a direct refusal to receive these petitions, the practice has long settled down to this—though no general resolution has been adopted to regulate it—namely, that on the presentation of one of the petitions an objection is made to its reception. This brings up that question, which is, however, immediately, on motion of some Senator, and as a matter of course, laid on the table by a silent vote—a motion to lay on the table being, by the rules, not debateable. The question of reception is thus in form never decided or acted upon; so that both of the opposite opinions on the subject of the Right of Petition may find a certain degree of partial satisfaction in this disposition of them; the one considering that they are negatively rejected, by reason of no decision being ever had on the question of reception —and the other considering that the laying of that motion on the table

Digitized by Google

is a mere postponement and suspension of the question; and that as the incident accompanies the principal, the petition itself virtually, in parliamentary presumption, goes with the motion to lay on the table, —being thus in fact received, and liable at any time to be called up for consideration, on motion and vote to that effect.

One thing is very certain, and must strike every reader on comparing the resolutions of the present session with those which had been adopted on former occasions—that the practical operation, so far as regards the attention given to the petitions, was as decided under the method of procedure established by the several Pinckney, Patton, and Atherton resolutions, as by the absolute rejection at the threshold which is the effect of the present rule. Like most compromises of this nature, the former resolutions were exceedingly loose, feeble, and equivocal—nor could they but fail of accomplishing their object, namely, as stated in the preamble to the first of them, "that the agitation on this subject should be finally arrested, for the purpose of restoring tranquillity to the public mind." For they virtually recognized the doctrine put forward by the advocates of the Right of Petition, and paid to that right the highest tribute in their power, at the same moment in which they trampled on it—that is to say, as the right existed according to their own simultaneous recognition of it. It was evidently and avowedly their object to treat the petitions with studied contempt and detestation—not to give them a moment's consideration, a moment's attention—not to read, refer, print, or debate them; of course, therefore, the majorities which adopted these resolutions must have been ready to *reject* the petitions point-blank if they had felt it in their power. Their refusal to do so, though strenuously urged by the Southern Members, as well as by their own declared antipathy to the petitions and petitioners, was an acknowledgment of the whole constitutional principle of the Right of Petition as asserted by the latter—an admission that they were bound, however reluctantly, to receive the petitions. Now it is appears very clear that the distinction on which these resolutions were all based, between the obligation to *receive* and that to *consider*, was an utterly untenable one—as a mere quibbling refinement of special pleading, alike unworthy of the dignity of legislation, and foreign to that higher spirit of enlarged liberality and common-sense simplicity, which should govern the construction of constitutional provisions. Who can fairly deny that those who then denounced these resolutions, as violations of a cardinal principle of popular right, had the whole truth and force of the argument on their side, when they insisted upon the duty of Congress to *hear*, *examine*, *refer*, and *debate*, as inseparable from the admitted duty of *receiving?* If the Right of Petition was such a constitutional principle as to impose on Congress, however bitter and sore its reluctance, the imperative obligation to receive, how hollow a mockery was it, then, of that principle and right, to refuse to do anything beyond this naked and worthless formality of reception—to 'keep the work of

Digitized by Google

promise to the ear, but break it to the hope!' *Such* at least could never have been the intention of the framers of the sacred Charter of Liberty to which both parties in this controversy appealed for the authority of their course. *Such* at least could never be the true spirit in which the meaning of a high constitutional guarantee should be construed and applied. Plausibly then—rightfully indeed—were these resolutions denounced as substantial outrages upon the very principle to whose sanctity they themselves, with an unconscious and self-deceitful hypocrisy, bore the most emphatic testimony. Nor can it be a matter of surprise that they had the effect of almost irreparably entangling the question, and confusing the public mind in relation to it. Whether politic or not in demanding the rejection of these petitions, Mr. Calhoun and the South were undeniably in the right in their declarations that 'to this complexion it must come at last'—and that the middle ground by which it was attempted to compromise the question could not permanently be maintained. It would certainly have been a far wiser course, as well as a worthier and manlier, to meet the principle of the Right of Petition fearlessly at the outset, and to decide frankly upon its essential merits, on a large and liberal view of it, with a consistent application of the consequences necessarily following from such decision, whether it should incline to the one side or the other. The neutral course which was attempted, of a barren recognition of the empty form of the Right as claimed, with a simultaneous substantial violation of its plain spirit and intent, was certainly, as before remarked—like all timid compromises of this nature—the worst of the alternatives presented by the case. We have always felt clear in the conviction—which will now be found to be admitted even by many who did not venture to vote for Mr. Johnson's resolution—that these petitions ought *either* to have been received, referred, and respectfully considered and acted upon, *or* to have been frankly met with a positive rejection at the threshold.

We have no remark here to make upon the refined parliamentary intrigue, on the part of the Southern members of Opposition in the House of Representatives, which led to the adoption of the two resolutions, that of Mr. Thompson and that of Mr. Johnson, which have been quoted above. The latter having been offered as an amendment to the former, it was supposed that the Northern Democratic Members would adhere to the ground of the two preceding sessions, beyond which the resolution of Mr. Thompson did not advance; and that by an unanimous vote against the strong measure of *rejection*, as proposed by Mr. Johnson, and supported by the whole South, Democratic and Whig, the odium, in that section of the country, of the failure of that amendment would be cast upon the Northern Democrats; so as to give a color to the denial which the Whig leaders at the South attempt to urge against the charge of their present political coalition and identification with the Abolition party at the North. The assertion may safely be hazarded, that never were men more chagrined at the failure

Digitized by Google

of a favorite movement, than were many of those loudest in advocating the amendment in question at its unexpected and undesired success. The fact was simply that among the Northern Democratic Members there were a few bolder spirits who saw the absurdity of the position formerly occupied by themselves and their party in Congress on this question, and who rose to a higher and clearer view of the principles involved in it, braving the probable temporary unpopularity which might attend such a vote, until explanation and reflection should have time to do their work in satisfying their constituencies of its perfect propriety and constitutional soundness. These votes decided the adoption of the amendment; and at the same time frustrated the ingenious intrigue we have alluded to, and carried forward this question to a point from which it is not likely to be again made to recede; and will doubtless result in establishing more just and enlarged views than have heretofore prevailed at the North on this subject of the "Right of Petition."

There is an important distinction which should not pass unnoticed, between the two resolutions of the present session—a distinction which was entirely lost sight of in the protest which the Legislature of the State of New York saw fit shortly after their passage to adopt. It is this. The one is more comprehensive in the subjects which it embraces, while the latter is more positive and strong in its action upon those which do fall within its scope. The former embraces all petitions or papers in any way "touching that subject" (Slavery in the United States); the latter confines itself to those praying for a certain specific action—namely, "the abolition of slavery in the District of Columbia, or any State or Territory, or the slave trade between the States or Territories of the United States, in which it now exists." The latter refuses to receive these particular petitions—it does not refuse to receive all propositions relating to the general subject in the various points of view in which it may be regarded. Yet such is the ill considered assertion of the New York Legislature, in the resolution of censure to which we have referred.

The importance of this distinction will not fail to strike the reader's mind. It may be perfectly competent for a legislative body to declare that a certain specific action which it is called upon to take is beyond the rightful powers conferred upon it by the organic law of its creation, and that therefore it will not even listen to any propositions inviting it to such action; while it might not be equally proper or rightful for it to announce a determination not to receive any proposition in any manner, or in any point of view, relating to the same subject.

As for Mr. Thompson's resolution, it does not refuse to receive the petitions in question—not even those praying for the distinct object of the abolition of slavery, and the internal slave trade, in the District or in the States or Territories. Mr. Adams, in describing its effect, says that it hangs them up midway between Heaven and earth,

Digitized by Google

so that no one could pronounce whether they were received or not. It, at least, therefore, is no positive violation of the great "Right of Petition." On the contrary, by not directly, and in terms refusing to receive them—it may be said in fact by implication, like the resolutions of former sessions, to recognize and sanction it. It simply declares in substance that such petitions, &c., on their presentation, shall be considered at once as objected to, and thereupon that the question of their reception shall be laid upon the table without debate or farther action. This then establishes nothing more than the actual practice which, we have seen, has for some years prevailed, in the case of each individual petition, in the Senate, against which none of that denunciation for the violation of the "Right of Petition," of which so much has been lately heard, has been wont to direct itself. And undeniably it is fully within the competence of each House, under the established parliamentary practice, and their own rules of proceeding, of which the constitutionality has never been questioned, thus to dispose of any subject, whether brought before it in the form of petition or in any other mode. Any member has the right to object to the reception of any particular petition; for which there may be various rightful reasons—such as, disrepect to the body or to any member of it; plain absurdity or gross indecency; or the utter and unequivocal absence of any power on the part of the body to which it is addressed to grant the prayer of the petition, or to act at all on the subject to which it relates. Such objection raises the question of reception, which is commonly considered as passed over *sub silentio*, by implication of universal consent, when no objection is made in any particular case. This question of reception may be debated and acted upon like any other; or like any other it may be disposed of, at the discretion of the House, by being *laid on the table;* from which, however, it is at all times liable to be called up. And certainly it would seem, as before mentioned, that there can be no doubt, notwithstanding Mr. Adams's remark, that as the coherent necessarily accompanies the principal in the operation of this motion, *the petition is laid on the table* with the question of reception, and therefore *is in fact received* by the House, and must be kept on file among its documents, ready to be called up at any future time when the wise and proper motives which, it is to be presumed, have induced the House to postpone its present consideration, by laying it upon the table, may cease to exist.

The question of the expediency of this course is not here brought into view; but if it may be constitutionally adopted in the case of each petition separately, it is not easy to distinguish why the House may not, under its unlimited power to adopt rules for the regulation of its own proceedings, condense all these multitudinous details, in the case of a particular class of petitions, into one aggregate, generalizing the practice, as it were, from several thousand individual instances, into one comprehensive and summary rule. It becomes merely a

Digitized by Google

question of mode of procedure; and such a rule merely a piece of labor-saving machinery. And certainly those who admit the right of the body to adopt the course in question in each individual case—(and who can impeach its constitutionality?)—must concede that *if* the House has maturely determined uniformly to pursue that course in relation to a particular class of petitions, it is far better—with reference to the obvious economy of time, labor, expense, and to the well known angry excitement, on the part of a large portion of the House and of the country, awakened by the agitation of the subject on the floors of Congress—to do it by a summary general rule, than by a specific action of the body on each individual case.

But Mr. Johnson's resolution, while it does not go near so far in the subjects embraced within its action, carries that action much farther within the more limited scope of its application. It refuses point-blank to receive at all the propositions for the abolition of slavery, and the slave trade, within the District or the States and Territories. This therefore brings us directly to confront the principle of the "Right of Petition," as we have been of late accustomed to hear it asserted.

There are two grounds on which this right is made to rest by its advocates, as one of the great cardinal principles of American liberty. The first is the ground of original natural right, sacred, unalienable and indefeasible, antecedent and superior to legal or constitutional enactment—the right of complaint, of prayer, on the part of any sufferer of wrong or evil, to those in whose hands the institutions of society may place the power of redress. The second is the express guarantee contained in the following clause of the Constitution, which was added as the first of the amendments to that instrument, as it came from the hands of the Convention of its Framers:

"*Congress shall make no law* respecting an establishment of religion, or prohibiting the free exercise thereof; or *abridging* the freedom of speech, or of the press; or *the right of the people peaceably to assemble, and to petition the government for a redress of grievances.*"

This second ground is found indeed partially to merge itself in the former—the expression, that "Congress shall make no law *to abridge* the right," &c., referring it back to a deeper foundation, as a right not to be abrogated or impaired by human legislation or authority. Well, the soundness of both these grounds is conceded. It is the inference only which is impeached—namely, the alleged obligation incumbent on each House of our Federal Congress to receive and act upon all petitions that may be addressed to it.

Regard it in the first place in the point of view of an original natural right. There are many other original natural rights of various degrees of importance to the complete enjoyment of such happiness as may be within the compass of human capability. It is but one of a class. Without an enumeration of them all, a reference to that of freedom of speech and of the press will suffice for our present pur-

Digitized by Google

pose. With the value of this few persons would place in comparison that of the right of *petition*. Yet is not this, like every other natural right, subject to necessary restrictions growing out of the mutual relations created by the congregation of men into civil and political societies, with the mutual rights and duties incident to such relations? Is it not limited by the just amenability of the individual to legal punishment for its abuse when to the damage of his neighbor, and *à fortiori* when to the plain and undeniable general detriment of the common weal? Does it carry with it the irresponsible privilege of slander and libel—or does it entitle an individual to indulge his peculiar fancy by forcing on the ears or eyes of the whole community, in the public highways for example, revolting, disgusting and demoralizing recitals or exhibitions? This will not be claimed. In the same manner it would be easy to put cases of the abuse of all our other natural personal rights, which would extort the concession that they are necessarily, in all human society, subject to certain restrictions and limitations, according to their various nature and mode of action. The Right of Petition, then, is not, any more than the rest, exempt from such necessary limitations. It may be abused—it may be totally perverted from its legitimate design and use into a mere engine of disorder and mischief. Now, from the very nature and mode of the action of this right, it is only in the authority to which it addresses itself that the power can reside to apply this restriction to its abuse which it cannot be denied ought, as in the case of every other similar right, to exist somewhere. Nor in the case of its supposed abuse, are the sensibilities of our attachment to the right shocked at the idea of applying what seems the only restriction which the nature of the case admits of, namely, a refusal to receive the petition—always under a high responsibility to the public opinion of a people familiar with the great principles of democratic freedom, and vigilantly jealous of their sanctity.

That this discretion as to the reception of petitions is the proper and rightful check upon the abuse to which this, like every other natural right, is subject, has always received the sanction of the universal recognition of the principle, in the case of different other applications of it. For not even the most fanatic advocate of the "Right of Petition" of the present day denies to a legislative body the right to refuse to receive petitions of various kinds that might be named,—such as those disrespectful to the body, or insulting to any of its members—or grossly indecent in language, or outrageously blasphemous—or plainly absurd, and for an object impossible in its nature. Why, in the case of the first, the disrespect to the body may be deserved, the individual insult may be but the just truth—and both may be inseparable from the statement of the grievance complained of. As for the ground of indecency or gross blasphemy, it may be a matter of taste and education; and a petitioner would not find it difficult to quote classic Elizabethan authority for such language as would cause his petition at

the present day to be scouted with indignation, by universal consent, from the threshold of the Hall. And then as for that of plain absurdity or impossibility, that must be a question of opinion,—in some men's vocabularies the latter word has no place,—and we daily witness that that which seems ridiculously impossible to one age is hourly familiar in practice to the next. Yet in all these cases none denies the discretionary right of the legislative body, under their high responsibilities to conscience and the universal reason of mankind, to apply to such abuses of the Right of Petition the simple restriction of a refusal to entertain or receive them. And this concession yields the whole ground contended for by the champions of the Right in the present controversy. The principle of a correlative obligation on the one part to receive all petitions, as essentially incident to the right on the other to present them, is either in its nature absolute and unlimited—for the admitted exceptions above instanced are nowhere stated or defined—or else the element here contended for, of *a wise and conscientious discretion* on the part of the legislative body as to the reception of particular petitions, in its undeniable privilege of regulating its own internal proceedings, must be admitted into the question, as equally a substantial right on the one side, with the right of petition on the other. And once thus admitted—and how can it be excluded?—it is clear that it opens wide the whole field of the circumstances of the occasion, with all the considerations of propriety and public policy involved in them, to bear upon the decision of the body in any particular instance. It is one of those necessary cases of discretionary power in which men must needs be extremely chary of its exercise, and must venture to act only under high and imperative motives of duty and right. And neither is it ever likely to be abused, nor, under our institutions, could even any abuse of it be attended with evil effect, in the multitude of means and modes in which an obnoxious subject can be forced upon the attention of such a body—means and modes of a higher order, as valuable rights, while at the same time of a more effective character.

Assuming the above course of reasoning to be correct, it appears, then, that while the Right of Petition is an original natural right, it is necessarily at the same time subject to the restriction upon its possible abuse which is alone to be found in the discretionary right, on the part of the governing authority to which it addresses itself, of *refusal to receive.* And the question here presents itself, too, whether it is a right of such nature and value as to claim from the ardent devotee of the principles of democratic liberty that high reverence and jealous attachment, which should incline us to an extreme latitude of construction in its favor, and to a corresponding rigid severity in permitting the application of its restrictive counter-principle, or antagonist right, on the part of the legislative body. For example, in the case of the right of religious liberty, our strong bias must lean in favor of the right; and in construing the terms of the constitutional

Digitized by Google

guarantee we would always carry its principle far beyond the mere literal construction of the phrase, to all such enlarged analogical applications of it as may seem most in harmony with its spirit and intent. We would not be content that Congress should merely refrain from passing any "law respecting an establishment of religion or prohibiting the free exercise thereof." We would not patiently suffer even that the indirect operation of any kind of official act on the part of either of the component branches of that body, or of any of the functionaries of the executive department of the government, should be designed to infringe upon the widest latitude of religious freedom, or to cast the slightest weight of moral influence in favor of any one sect over any other. But this "Right of Petition," about which we have lately heard so much, is one of a very inferior order, and one to the construction and application of which every American democrat must bring a very different spirit.

It seems indeed to argue a strange misappreciation of the true genius of our institutions, to insist upon this as one of the cardinal principles of American liberty. It is true that the recognition of its existence—(though not to the exclusion of its natural and necessary limitations)—is to be found, as above quoted, in the Constitution. But it should be borne in mind that the men of that time had received all their political education in the English school—and a noble school of freedom it was for that day. In England the movement and struggle of the people had always been upward, forcing their way slowly up towards the light of liberty, against the massive superincumbent pressure of a monarchy and aristocracy once unlimitedly despotic. To such a people the right of petition, to this paramount omnipotence above them—an omnipotence extraneous from themselves, both in its constitution, and in its distinct and often adverse interests—was indeed a great cardinal principle of popular freedom; as also that of "peaceable assembling" for the purpose,—which in fact was always regarded as the most important part of the right, being that for which it was most necessary to secure, from the jealous fears of authority, a full constitutional guarantee.* As the adoption of our present Constitution

* Mr. Colton, in the excellent pamphlet to which allusion has before been made, gives the following concise summary of the history of the Right here considered, in the English school in which it had its origin as a principle of popular liberty:

"In the English Bill of Rights of 1668 in the following clause:—'That it is the right of the subject to petition the king, and that all commitments and prosecutions for such petitioning are illegal.' In the progress of English history, as the liberties of the people were conceded, from time to time, experience suggested that this point should be made prominent. The importance of it consisted in the fact, that the subjects had no voice in the Government by representation. Probably it would never have been thought of as part of a constitutional Government but for this defect in the frame of society. It was always a right in the nature of social relations, but it was not always recognized. Not unfrequently, after it became a law, was it suspended by arbitrary power, and the petitioners were spurned or otherwise maltreated, by commitment to prison, by prosecution, and by sundry pains and penalties. In some instances it was aggravated into the crime of high treason, even in violation of the securities of law, and thus the last refuge of the

the men of that day were familiar with this phrase as one of the rudiments, the truisms, of their political school; and it was accordingly copied into that instrument from the English Bill of Rights of 1668, as one of the amendments to its draft as projected by the Convention, required by one of the States, and assented to without objection by the rest.

But surely in the midst of the wide democratic freedom of our institutions, the question presents itself now to the American citizen with a very different aspect. The right of *petition* is no longer to him one of those dear and sacred privileges to which should attach the inestimable value now claimed for it, by those who use it avowedly as an engine for the indirect accomplishment of an ulterior object beyond the conceded scope of the constitutional power of Congress. He possesses a higher right, in which the inferior is overshadowed and reduced to insignificance, the right of *dictation*. Prayer, in affairs of human government, is not the appropriate language for his lip; nor can he who enjoys the right to utter the accents of command, attach any peculiar value to the poor privilege of supplication. The

---

subject for relief, or redress, or help, or facility in business, as the case might be, was swept away. He had no voice in the Government, neither was he permitted to present a petition at the foot of the throne. The object of these severities was to frighten and deter subjects from the use of this privilege, and thus to confirm and strengthen the high and irresponsible prerogatives of the Crown. Petition, the humble, dependent, supplicatory right of petition, was all that was claimed, in hope of the grace of the benefit solicited. The petition might be disregarded; the chances were many that it would be; of that complaint was seldom, if ever, made; but all they asked was the privilege; all they wanted was a security that they would not be punished for making a request, as that was the only mode of signifying or obtaining their wishes, not otherwise provided for by the laws, or the will of the Sovereign. Even after this right was fully recognized and well secured, both the Parliament and the Sovereign were accustomed to leave petitions from the most respectable bodies unnoticed at one time, and to reject them without ceremony and without reason at another. In 1643 a petition from the general assembly of Divines was left unnoticed. In the same year the University of Cambridge was treated in the same manner. In 1648 the citizens of London and Westminster, in joint petition, were unnoticed; and, when they applied again for an answer, none was returned. The protest of the twelve bishops in 1641, their arrest and commitment to the Tower, and their trial and acquittal, are well known; and yet the next year, when the current was changed, petitioners were still visited with like pains and penalties for the use of the privilege. All along during the remainder of the seventeenth century and the whole of the eighteenth, the British Parliamentary records exhibit the frequent rejection of petitions from respectable bodies, on the question of rejection. In 1706 it was resolved, that no petition for money should be received without a recommendation from the Crown; and in 1713 this resolution was made the standing rule of the House. The law forbidding more than twenty names to the same petition, and more than ten to present it, was long in force. If more than twelve persons assembled for any objects connected with the Government, it became the duty of magistrates to disperse them, by force if necessary, and resistance was high treason.

"From these facts we discover, that the use of petition originated in the wants and necessities of the subjects of monarchical Governments, who had no voice in the making and administration of law, as the only mode of declaring their wishes; that the act was simply one of supplication; that all they claimed was exemption from pains and penalties in the use of this privilege; and that these petitions were very commonly rejected on the threshold, or remained unnoticed, or were treated with undisguised contempt.

"'It is the right of the subject to petition the King, and all commitments and prosecutions for such petitioning are illegal.' Such was the law, and such the history."

Digitized by Google

American citizen possesses the freedom of speech, of the press, and of the ballot box. Every newly proposed reform has free scope and play through these instruments, to work out that conviction in the public mind requisite to make it practically effectual. The privilege of addressing prayer to the temporary depositories of governmental authority delegated from the individual citizen himself, constitutes no enlarging or strengthening addition to these means of influence. What cares he for this privilege? If desirous of carrying out any particular reform, can he not write freely for it in newspapers and Reviews—can he not speak freely for it, at the street corners, from the house tops, in the frequent popular assemblage—can he not freely allow it its full influence in his selection of candidates for public office—and is he not certain that if it indeed possesses the vital strength and health of *the truth*, it will irresistibly force on its way by these means, till it shall inoculate a sufficient proportion of the public mind to claim the eager favor of the occupants and the seekers of the seats of legislation?

This point might be presented in some other views, but enough has been said to prove that there is very little substantial weight or force in the declamation of which we hear so much about the precious sanctity of the "Right of Petition," resting on the basis of the eternal laws of God and nature. In countries in which the governors and the governed are *twain*—where there is absolute power on the one side (wholly or in part), and compulsory subjection on the other, it may indeed have a deep foundation in natural right and justice. But it is idle to draw analogies from such sources to a country in which the governed and the governors are *one*—the latter being but the delegated agents of the former, jealously restricted in power, and responsible at short intervals to the great source of their little brief authority.

It is no reply to this argument, to say that minorities need the right as against majorities. It has been sufficiently shown that the solitary individual does not need it, in the ample freedom he enjoys for other and far higher means of influence on the course of public opinion and legislation. How much less can it be needed when he has his work already more than half done to his hand, by having a considerable party which, *if it is in the right*, a little perseverance will soon either place in actual majority, or in such a position as to exercise a commanding influence between the great parties that always divide every free commonwealth.

The origin of the erroneous opinion so extensively prevailing at the North upon this point, we take to be this. The freedom of speech and of the press are indeed rights of inestimable value, in comparison with which even the Union itself is of but little worth. During the course of the Abolition agitation at the North, violent and foolish attempts have been made to outrage these rights, against the *use* of which their *abuse* constitutes no valid argument. They thus became blended to-

Digitized by Google

gether in the public mind with the right of petition to Congress, which was under agitation at the same time; and with which thus became naturally associated those feelings of sacred respect and attachment most justly indeed due to the right of freedom of the pen and of the tongue.

Our object in the present Article is simply to draw attention to the true merits of this greatly exaggerated "Right of Petition." The consequences that naturally follow from the views of it above stated, are sufficiently obvious on the surface to dispense with the necessity of more than a brief allusion to them.

We hold, then, that we are in no respect bound to construe the terms of the Constitution to which appeal is made, in the same large and liberal spirit which we would apply to the other rights which are enumerated in the same clause; nor to extend them beyond the limited sense fixed by a strict construction of them. And in the present case all those who entertain a different view from that of the petitioners, as to the effect of the movement of which these petitions have been made the principal instrument, are perfectly justifiable in obeying the motives which dictate to them the duty of quieting the agitation of this exciting and dangerous topic in Congress, provided they are borne out by the plain terms of the Constitution, fairly and closely construed. If, therefore, "Congress" refrain from passing any "*law*" abridging "the right of the people *peaceably to assemble*, and to petition *for a redress of grievances*"—the requisition of the Constitution is sufficiently satisfied.

Now, the resolution in question is simply an internal rule for the regulation of its own proceedings, under the unlimited privilege to that effect conferred by another clause of the Constitution. The exercise of the popular right, of peaceable assemblage and petitioning, is left complete and undisturbed. The petition is presented to the body—its object made known in the act—and then commences the equal mutual right on the part of the latter as to its own action on it. What is there to forbid its action by anticipation upon any particular class of petitions, with the prayer and character of which it is perfectly familiar? What is there to prevent it from making up its determination in advance, either on the ground of its want of constitutional power or of expediency, or of both combined—from announcing this prejudgment—and from then refusing to entertain, during the brief term of its existence, any farther petitions of the subject, which, in such a state of the case, become a mere idle and vexatious waste of time and national expense, apart from all other graver considerations? We can see no just impediment, either in the terms of the Constitution, or in the original nature and value of the Right of Petition. Let it be kept in mind that the question is not as to the good policy of this course in the present instance, upon which different opinions may be entertained; but simply as to the constitutional right of the House thus to exercise its privilege of regulating its own proceedings, in relation to

Digitized by Google

a particular class of petitions, after the other party have exercised their complete right of peaceably assembling and petitioning. So far as the object is concerned of making known to the body the grievance and prayer of the latter, it is still fully attained—for it is only after becoming acquainted with it that it can be brought under the operation of the resolution, which is in fact nothing more than a summary rejection of its prayer, the subject having been before amply discussed in the body, and, so far as regards all future petitions of a similar nature, having been determined by it in advance. And moreover, while the operation of the rule confines itself to the existing Congress alone, even within that brief period any Member may still present the petition, and more for a repeal or suspension of the rule of restriction —besides, that there are, as remarked by Mr. Adams, abundant other ways and means by which, if desired, the obnoxious subject may be brought before the attention of the body.

It is not necessary to go into the question of the constitutional power of Congress to grant the prayer of a particular petition. The absence of such power is not necessary to confer the right of refusal to receive. A settled prejudgment or predetermination on the part of the body—under its high responsibilities to conscience and to public opinion—is sufficient. Drawing the just distinction between a narrow, technical authority, and that higher view of rightful constitutional power which refers itself to great pervading principles of good faith, wisdom and duty, rather than to the naked letter of a written document, we think that they do not possess the "power," in the case covered by the resolution which has here been considered. But this position is not necessary, we repeat, to the justification of the principle of that resolution—though of course adding to it, in its present application, a strong *à fortiori* confirmation.

One concluding remark alone we will add, for the benefit of that class of Northern readers, which we know to be a large one, who, while strongly opposed to the Abolition movement, on the ground of that State-Rights Principle which they justly regard as the true conservative principle of our Union, are yet honestly opposed to Slavery as "a great moral, social and political evil," (to quote Mr. W. C. Rives), and anxious for the arrival of the day which shall witness its extinction by the voluntary conviction and spontaneous action of the South itself, if the sun of that day is ever destined to dawn. It is chiefly from this class that partisans have been won over by the specious appeals which have been founded upon the alleged outrages upon the "sacred Right of Petition," as identified with the cause of the Abolition movement. A slight degree of reflection would seem sufficient to convince all rational minds of this school of opinion, that this false movement upon *the Federal Government* can produce no other effect than both to aggravate the very evils they complain of, during their present existence, and indefinitely to postpone the attainment of their own object. For between this movement and that object rises the insuperable bar-

Digitized by Google

rier of the State-Rights Principle, now decidedly, and we trust forever, in the preponderance throughout the Union. Against this the movement in question must always dash itself in vain. It becomes a political cause; and in the act loses all the character of mild and affectionate persuasiveness appropriate to a purely moral one—and throws away all those means of silent, irresistible progress inseparable from such a cause when animated by the divine might of the truth, and advocated in a spirit and manner worthy of its professed character. It connects itself in fatal union with all the other exciting partisan questions of the day, every one of which hinges more or less directly on the cardinal principle of the State-Rights theory—and necessarily arrays against itself all the sympathies and efforts of that great political party of whose system of doctrine that principle is one of the fundamental articles. Hence the general unanimity of the Democracy of the North in opposition to the Abolitionists, with the fact that nine-tenths of their numbers are derived from the party which it is unnecessary for us here again to demonstrate to be substantially identical —so far as they possess any distinctive character—with the old Federal school of consolidation and centralization. It must be apparent, therefore, to the class to which this remark addresses itself, that instead of the resolution of which we have spoken being one, as it has been called, to "stifle the groans while riveting the fetters of the slave" —if its effect shall be to throw back and break down the movement in question, it ought rather to be regarded as the greatest blessing that could be conferred on him, and as the first indispensable step towards a more enlightened course of moral action in his behalf.

A FEW FREE THOUGHTS ON FREE TRADE.

The following plain statement of some plain truths is not addressed to the adepts in Political Economy, to whom they will of course be familiar as among the first and simplest rudiments of their science. They are designed for the benefit of that large class of readers who have never turned a particular attention toward the subject, but among whom it will probably prove very important at no distant day, that the seeds of sound views should have been sown broad-cast at the present period. The whole theory of Free Trade is an exceedingly simple one, dealing only in large and transparent ideas, which no ordinary intelligence can have the least difficulty in comprehending.

Suppose the case of a farmer, of whose land one half is best adapted to the culture of wheat and the other half to that of grass. It is of

Digitized by Google

course his interest to devote the first half to the former, and the other to the latter crop. He will thus realize the highest amount of value which his land is capable of producing; nor would he hold in very high respect the counsel of the neighbor who should advise him to sow any portion of his wheat land for grass, or *vice versa* of his grass land for wheat.

Suppose, again, two adjacent farms, of different capabilities of soil —the land of A being best adapted to corn, and that of B to wheat. If A devotes his whole land to corn, he will produce the full amount which it is capable of yielding. The same is equally true of B, with respect to his crop of wheat. The greatest several and aggregate amounts of valuable product of which the two farms are respectively capable are thus produced; and each owner, after the deduction of the portion of his crop requisite for abundant home consumption, will have the largest possible surplus to be exchanged against the corresponding surplus of his neighbor. Suppose the respective crops to be each of 1000 bushels, and the domestic consumption of each to be 500, the one of his corn and the other of his wheat. Each will have a surplus of 500 bushels for mutual exchange. But suppose A to prefer to raise his own wheat, for the sake of "independence," and B to raise his own corn. Each devotes therefore one half of his land to an uncongenial crop, and the result of the year's experiment is, that A has 500 bushels of corn, as before, for his own consumption, but only 250 of wheat; and B, in like manner, 500 bushels of wheat, but only 250 of corn. Does the "independence" of this fashion of culture compensate either for the deficient 250 bushels of wheat and 250 bushels of corn? If left to themselves it is not likely that either would ever repeat the experiment; but suppose the authorities of the town to be vested with the power, and for whatever fancied reason, good or bad, to be possessed with the folly, of stepping in between them and of compelling them to continue it—how would our two farmers like such a fashion of government?

The application of the same principle to the case of two adjacent nations—producing, each, those productions, whether by agriculture or manufacture, to which they are respectively the best adapted, and interchanging their respective surpluses, through the facilities of unrestricted commerce—will be obvious to every reader. The principle exhibited by these plain and simple illustrations is that on which rests the whole doctrine of Free Trade.

The question between the "Free Trade" and the "Protective" systems may be thus stated. The former, by the abolition of all restrictions upon the freedom of industry and commerce, would leave each nation to the guidance of the unerring sagacity of private enterprise, in the direction of its productive energies and developement of its natural capabilities—certain that the greatest possible amount of actual value, with reference to its circumstances, will thus be annually produced at the cheapest possible rate; and that the free exchange

Digitized by Google

of its surplus beyond its own consumption, for the corresponding surpluses of other nations, in those products best adapted to their respective circumstances and natural capabilities, must produce to each and to all the greatest possible amount of the necessaries and conveniences of life, that is to say, of real wealth, in return for their industry in their several fields of labor. The "Protective" system, on the other hand, proposes to discourage or prohibit, through the means of a Tariff, the importation of various products of foreign labor, for the encouragement of the corresponding branches of domestic industry, by rescuing the latter from the competition of the former in the home market, at least for a sufficient length of time to establish them on such a basis of security as to be exempt from danger from such competition—so as to make the nation sufficient to itself, and independent of other nations, in the production of as many of the principal articles of its consumption as its physical capabilities may render possible.

To the mere statement of the Free Trade theory, as above illustrated, it seems difficult to add any farther confirmation by argument. We will simply present a brief summary of the arguments of the Protective school, stripped of the verbiage by which they often succeed in mystifying superficial readers.

In the first place, they say, that it is a question between domestic and foreign industry, which shall be encouraged at the expense of the other.—Not so. The question is, how shall our own industry receive the largest return. Suppose the average rate of wages to be a dollar a day. Suppose we can import foreign cloth for three dollars a yard. A yard of cloth therefore is to be procured for three days' labor. But if, for the purpose of encouraging the domestic manufacture of cloth, we lay a Tariff duty of two dollars per yard on its importation, the price is raised throughout the country to five dollars a yard, the rate at which the domestic fabric thus "fostered" can be produced. A yard of cloth is now therefore only to be procured for five days' labor. Which policy is the true friend of domestic industry?

But it is for the good of the country, in which manufactures are thus established, it is replied.—Not so. This tax of two dollars is for nobody's benefit; for while it falls thus onerously on the whole mass of consumers the manufacturer can realize only the ordinary profits of his capital, to which he would give some other direction if not artificially tempted into this. How, then, can that system which makes the mass poorer, without even substantially benefitting the few, be "for the good of the country?"

But we must be independent.—What would be thought of the "independence" of the farmer who should undertake to tan his own leather and make his own shoes, after a fashion, to the necessary neglect of his more legitimate duties, which would, in one-tenth of the time required by these labors of "independence" (extended, too, to other similar applications,) produce him the means of purchasing ten times

Digitized by Google

the quantity of these same necessaries, of far superior quality to his own awkward efforts, and brought to his own door by neighbors willing and anxious to interchange with him?

But in case of war we should suffer, perhaps for the means of successful defence, for those supplies for which we may have heretofore relied upon the very nation now become our enemy.—Well, in the first place, Free Trade tends directly to prevent wars, by the strongest of mutual inducements; and in the second place, let bounties be laid, if required, upon such articles alone as are necessary for defence.

But our natural resources ought to be developed—for example, of iron.—But not by premature artificial stimulus, necessarily at greater sacrifice, in other ways, than the result to be produced is worth—as in the case of the man who, seeing beneath a transparent rock in his field a golden eagle, worth ten dollars, removes the rock, to get at it, at a cost of twelve!

But behold the manufactures which the Tariff has called into being we are told.—True; but as to those to whose creation such "protection" was requisite, it has done so only at the expense of diverting capital and labor from more to less profitable employments for the nation. And as to the others, it has of course been a mere gratuitous tax upon the mass for the benefit of a privileged few.

But foreign labor is so much cheaper than our own, that everything can be made cheaper abroad, and we shall produce nothing ourselves. —Not so. We have our own resources and capabilities and more advantageous subjects of industry, as foreign nations have theirs, while with us human labor is probably more *effective* than in any other nation. If we produced nothing to sell we could not buy? and Free Trade would import only when by the exchange of the products of our own labor we can procure a greater amount of the foreign article than we could by producing it directly ourselves.

But admitting, it is still urged, that goods cannot be made as cheaply now as they can be imported, yet by fostering their domestic production by a Tariff, we will eventually compensate the present sacrifice by producing them cheaper than we can import them.—Not so. In the first place this argument proposes to sacrifice a present certainty, for a future very uncertain possibility. And in the second place, unless it be from superior natural advantages with which we can never hope to compete, it must be from the greater accumulation of capital that the foreign manufacture is more successful and profitable than our own, without the aid of "protection." Free Trade, it should be borne in mind, is entirely in favor of manufactures, as of every other means of producing wealth; and it is certain that the sagacity of private enterprise will soon discover the arrival of the period at which any particular manufacture can be and ought to be commenced. *It simply refuses to apply to it a premature and unhealthy stimulus, to the injury of other interests and the benefit of none, in the unwise attempt to anticipate the time when*

the manufacture can be profitably established. Now, we will suppose, there is not capital enough in the establishment of manufactures to make them profitable—the faster capital accumulates, the sooner will there be enough to warrant their establishment. We lay a tariff which renders the accumulation of wealth less rapid, in order to hasten the time when manufactures may be profitably established! Every one must see that the effect must be to postpone that time.

But this is not all. We see that all this is done, and all this expenditure incurred (that occasioned by the tariff) without any certain knowledge of the result. We do not know that the said manufacture can ever be profitably carried on. If it never can be, then we have made all so much poorer, without the prospect of any benefit. We are paying out money at random, supposing a benefit to result. It is worth a certain sum and no more: but we have no means of knowing whether the sum we pay is only equal to the benefit, or whether it is ten times greater. Now, it is possible that, supposing an advantage to be gained, a nation may pay vastly more for it than it is worth.

But it may be said, the money paid in tariff duties goes into the treasury—it is in the country. True, but it is so much taken from the capital of the nation—from that which sets in motion and sustains industry. "It is of no consequence,"—to quote Mr. Webster—"to this argument, that the sum is expended at home: so it would be if we taxed the people to support any other useless and expensive establishment—to build another Capitol for example, or to incur an unnecessary expense of any sort."

But if we do not engage in manufacture, will not foreign nations take advantage of our dependence on them, and raise prices upon us?

We reply, this will not be the case, because it will not be for the interest of foreign nations to do so. A foreign nation knows that she can command our market only so long as she can furnish the article at less cost than we can produce it. The effect of raising the price upon us would be to call manufactures into existence among us, and hence a loss of the market to her.

But the advocate for Free Trade does not contend that we are never to engage in manufacture. He contends that we should not engage in them prematurely—that is, while they are less profitable than other modes of employing capital. When the appropriate time comes for a nation to engage in manufactures, they will be established without the burden of a tariff.

It has been said that all other nations have adopted the restrictive system, and therefore we must adopt it in self-defence. If England exacts a duty on articles imported from this country, we must exact a duty on articles imported from that country to make the balance even.

To this we reply: if the imposition of duties on English products

Digitized by Google

would cause her to enter into a treaty, and lead to the removal of her restrictions, it would be well. But if there be no prospect of attaining such a result, the imposition of a retaliatory duty on English products would only be inflicting additional injury on ourselves. England, we will suppose, lays a duty on our cotton. We in retaliation lay a duty on her woollens. Now let us trace the effects of both of these acts. By the duty on cotton, the price to the consumer is enhanced. The demand is lessened. We sell less cotton than we otherwise should. This is a disadvantage to us. We lay a duty on English woollens. The price to the consumer is enhanced to the amount of the duty. The people pay fifty cents a yard more for cloth than they would otherwise pay for it. This is a disadvantage. It is one, however, that we need not suffer. Because England has caused us to suffer in one way, that is no reason why we should cause ourselves to suffer in another way.

But we must have a tariff in order to raise a revenue for the support of government. The question as to the best method of taxation, is one we shall not discuss here. To lay a tariff to meet the wants of government is very different from laying it for the encouragement of domestic manufactures.

Finally it is said, your reasonings against the propriety of the restrictive system are overthrown by facts. The country has increased in wealth with unparallelled rapidity under the tariff system.

To this we reply, the country would have made rapid advances in wealth if the people had been taxed ten millions dollars yearly more than they have been taxed, and this been annually thrown into the sea. We could still say our progress in national wealth has been rapid. But few would contend that this prosperity was owing to the ten millions cast into the sea. No more do we assent to the conclusion, that our prosperity has been owing to the tariff.

We have now explained the doctrine of Free Trade, and answered the objections that urged against it. We shall conclude this Article by briefly exposing some of the errors that lie at the foundation of the restrictive system. Dugald Stewart justly remarks, that to trace an error to its source is often the most effectual mode of refutation.

The first false notion that gave rise to the restrictive system was, that money only—that is, gold and silver—constituted real wealth. Hence that nation was thought the richest which accumulated the greatest amount of specie. Hence the whole force of legislation was directed with a view to collect it in a country and keep it there. Severe laws were passed to prevent its exportation, and all possible encouragement given to its importation. Great efforts were made to produce things at home lest specie should be sent abroad for their purchase. Prohibitions and duties on imports were laid for this purpose.

Now, had it been understood that money is only an item of wealth, and comparatively a small item—that a certain amount of it is wanted

Digitized by Google

in a country for a specific purpose, the facilitating exchanges—that all addition to the amount necessary for this purpose diminishes the value of the whole—had these things been understood by the legislators of other days, they would not have resorted to restrictions and penalties in order to collect and retain it in a country.

Again, this notion led to the doctrine termed the 'balance of trade,' and this doctrine led to prohibitions and restrictions. When the imports of a nation exceeded its exports, the balance of trade was said to be against that nation. For instance, if a nation exported flour, beef, &c., to the value of one hundred thousand dollars, and imported silks to the value of one hundred and fifteen thousand dollars, the balance of trade was said to be against that nation by fifteen thousand dollars. This balance, it was supposed, must be paid in money—a continued excess of imports over exports, it was thought, would drain the country of its specie, and render it bankrupt. Hence it was thought measures must be taken to guard against this evil by turning the balance of trade the other way. In order to do this, heavy duties were laid on goods imported from nations with whom there was this supposed unfavorable balance of trade, or, more commonly, *entire prohibitions*. Thus is seen another of the causes that led to the restrictive system.

The fallacy of the abovementioned doctrine consisted in taking for granted that when the value of imports exceeds that of exports, a debt is necessarily created to the extent of the difference. This is a false assumption. Suppose a ship takes a cargo of flour at New York, say five thousand barrels, valued at five dollars a barrel; her cargo is worth twenty-five thousand dollars. Under the head of exports then there is set down twenty-five thousand dollars. The ship proceeds to Marseilles, and exchanges her cargo for silks. She takes in as many silks as she can get in exchange for her flour, and no more. No debt is contracted. She returns to New York, and her cargo is found to be worth thirty thousand dollars. Under the head of imports, then, set down thirty thousand dollars. The imports exceed the exports by five thousand dollars; the balance of trade is against us.

In this case the excess of imports over exports shows the gain, not the loss, of trade. The unfavorable balance, as it is called, is five thousand dollars gain to the merchant and to the country. How absurd to throw obstacles in the way of a commerce so decidedly profitable! Yet, strange as it may seem, governments for ages acted on the principle that the excess of imports over exports always indicated *loss*—represented a debt incurred—and endeavored to lessen importations from those countries in regard to which this excess was the greatest; in other words, they often endeavored to check and destroy that commerce that was most advantageous to the nation. We infer that a system that originated in such nations cannot be sound. It is only when by a vicious system of inflated paper currency one nation has foolishly expanded its general scale of prices above the natural

Digitized by Google

equilibrium of the rest of the world, that it can for a time attract such an excess of importations as to create an unfavorable balance of trade and a considerable debt; and even then, by the inevitable laws of trade, the equilibrium must before long restore itself, though not without the penalty, generally, of severe distress, derangement, and convulsion.

Finally, the restrictive system had its origin in erroneous ideas in regard to the nature of commerce. It was supposed that what one nation gained another must lose. That both parties should gain was supposed to be an impossibility. Those legislators thought they were doing well when they secured the gain to their own country. It soon very naturally was thought that what was one country's loss must be another country's gain. Hence attempts, too often successful, were made to cripple the resources of other nations, lest they should secure the gain which it was thought could accrue to one only.

"Commerce is not a gambling among nations for a stake, to be won by some and lost by others. It has not the tendency necessarily to impoverish one of the parties to it while it enriches the other. All parties gain; all parties make profits; all parties grow rich by the operations of just and liberal commerce."

True ideas in regard to the nature of commerce will lead us to promote, rather than obstruct, the advancement of other nations. It is for the interest of one nation that other nations should be rich, just as it is for the interest of a merchant that those around him should be rich. Suppose the merchant in a country village should fancy he could grow rich only as the rest of the community grew poor, and should strive to obstruct their prosperity, would he be pursuing a course adapted to promote his interests? Will his neighbors be better customers for being poor? Suppose he should succeed in his attempts to reduce them to poverty, would he not be obliged to close his business? Could he prosper by selling goods to paupers? So far as he causes them to approximate to pauperism, does he not injure himself? In the same way, just so far as a nation succeeds in crippling the resources of other nations, it injures itself.

Christianity inculcates universal kindness and peace. It requires us to love our neighbor as ourselves, and it gives to the term neighbor the widest signification. Political Economy shows that acting on these principles promotes our highest material interests,—and thus is there a perfect agreement between the precepts of Revelation and the teachings of economical science.

Digitized by Google

FRANCE—ITS KING, COURT, AND GOVERNMENT.*

BY AN AMERICAN.

A WISH to approach those who have filled distinguished parts on the theatre of human action, and to judge them independently of the *prestige* with which circumstances may have surrounded them, seems to be deeply implanted in the human breast. And among the anticipations with which the American traveller approaches the old world, there is none, perhaps, which promises him more gratification, than this hope of being able to survey more nearly the eminent men, of whose claims to renown distance of space enables us to judge with as much impartiality, as distance of time will enable posterity. I have forgotten neither your wish, nor my promise, that I would communicate to you the impressions which might be made upon me, should circumstances bring me near any of these men whose character and actions will mark the age in which they live; or into familiar contact with those who are around them, and who cannot be deceived in their mental endowments or their moral worth. I have been long enough in Paris to have collected much information respecting the present King, Louis Philippe—and that, too, from persons who could neither be deceived nor be guilty of deception—and I propose to communicate to you the result of my observations.

If an American first sees the King when making an excursion, the impression is a painful one. He and his cortège generally occupy three carriages; in the first of which, drawn by eight horses, is the King, with such of his family as accompany him. They are preceded by an outrider in the royal livery (red), and by two dragoons, who always keep themselves at a considerable distance from the main body, and who take care that the road is clear. These are followed by a detachment of dragoons immediately in front of the royal carriage; and on each side, and close to the doors, ride the aide-de-camps and orderly officers who attend the King; and then succeeds another detachment of dragoons. After this come the two other carriages, each drawn by six horses, and preceded by an outrider, which are occupied by the gentlemen and ladies of the Court. The spectacle itself is a brilliant one, from the beauty of the horses,

* Cour des Pairs. Attentat des 12 et 13 Mai, 1839. Réquisitoire de M. le Procureur Général. Paris, pp. 107.

Cour des Pairs. Affaire des 12 et 13 Mai. Rapport fait à la Cour, les 11 et 12 Juin, 1839, par M. Mérilhou, comprenant les faits généraux, et la premiere série des faits particuliers. Paris, pp. 153.

Digitized by Google

the neatness, as well as splendor, of the liveries of the outriders and postillions, and from the arms and uniforms of the military. As the procession always sweeps by at a rapid rate, it seems to exhibit itself and disappear like the pageants in a theatre. But the spectator asks himself, how it is that the life of the King is exposed to perpetual attacks; and that the Chief of one of the most polished nations in the world cannot venture into the streets of his capital without being surrounded by a physical force sufficiently strong to prevent all access to the royal person. The guards who attend the King of the French, whenever he leaves the walls of his palace, are not in the performance of a vain ceremony, like those with which many of the European sovereigns are accompanied; but they are in the execution of a necessary duty, and without their presence the life of the monarch would not be worth a day's purchase. What is the cause of this deplorable state of things? Is it the fault of the King or of his subjects—of the government or of the people? Is the root of the evil in the state of society, or in the course of political measures followed or rejected?

I have sat down to give you traits of mind and manners, slight delineations, by which you may be better enabled to appreciate the statements which reach you respecting the character and position of the King. Formal political discussions upon the operation of the French government, or upon the condition of the French people, I shall avoid. But to comprehend justly the position of the King, it will become necessary to look, however slightly, at the state of public opinion and society in the kingdom.

The Revolution of 1789 threw off the weight of despotism which had oppressed France during many ages; but it did not stop, like our own Revolution, at a mere change of some of the political institutions of the country; but extended itself into all the ramifications of life, civil, social, religious. It has accomplished a vast benefit for France and for the world; though in looking back upon its different phases, it is evident, that with less *exaltation* of mind the same results might have been obtained, and years of trial and suffering spared to the country. Almost all the existing institutions of France owe their origin to the half-century which has just passed away—the annihilation of feudality and aristocracy—equality, the most perfect, before the law—the abolition of primogeniture in the descent of property—national representation, and its natural consequence, the rendering the representative chamber a central point of influence and authority—the fall of the ecclesiastical régime, with its secular riches and temporal power—the freedom of the press—and more than all, and above all, a public opinion ever vigilant to detect any abuse of authority, and ever ready to demand meliorations in the institutions of the country. But with these great advantages there is wanting a calm, sedate, dispassionate spirit of inquiry, and an habitual attachment to certain general

Digitized by Google

principles, found by experience to be essential to the prosperity of the country, and which ought to be placed by this consideration above the conflicts of party. In our political contests there are passions enough awakened; but the struggles which from time to time are carried on touch neither the foundations of our government, nor the institutions of society. Our parties all start from the same point; all recognise the adaptation of our political institutions to our manners and condition; and he would be a bold politician who should propose any fundamental change in the system we have adopted. But in France there are many parties, each with marked differences of opinion, from the extreme of uncontrolled monarchy to that of the freest democracy. It will be recollected, that if the spirit of inquiry is not checked in England, by that reverence for its institutions which springs out of past recollections, and which in these old countries enters so often into the habits of the people, and can be broken only by a revolution, it is still evident that it controls the public action, and impresses the efforts which are made at melioration with a character of discretion, that seems too often to degenerate into timidity or indifference. But the French Revolution made almost a *tabula rasa* of a large portion of the social system of France, and fifty years have been spent in remodelling it, building up and pulling down, doing and undoing in succession. The associations with the past have been thus obliterated, and time enough has not been allowed to substitute for these the convictions of the present. The Absolute Monarchy, the Constitutional Monarchy, the Republic, the Consulate, the Empire, the Restoration, the Monarchy of July, all have in turn governed the kingdom, and each has found advocates and opponents. These rapid and successive changes have produced their natural effects upon the ardent temperament of the French people; and where polemical discussions are so lively, and the liberty of the press so unfettered, it is not surprising that these have been followed by the propagation of every shade of opinion, and accompanied by a warmth, and, I may add, a bitterness, of sentiment, which are fortunately unknown in our political dissensions. Minds have become *exalted*, as the French say, to a point which, with a portion of the population, seems inconsistent with the necessary and salutary restraints of even the freest governments. The supply and demand of the necessary articles of life are in such a near equilibrium, in Europe, for the working population, that very slight causes suffice to derange the elements of production, and to throw out of employment, and into idleness and misery, a large class of society. And though this is generally the result of social, rather than of political, causes, and in the densely crowded state of the European nations would seem to be inseparable from any form of government, still the masses which feel the evil do not stop to explain the causes, but attribute the distress, which from time to time presses upon them, to the operations of the government, arising out of a de-

Digitized by Google

fective constitution or a vicious administration. And these opinions are fortified and disseminated by the Opposition journals, which in free governments are prone to throw upon the adversaries the burden of all the troubles which effect their state.

It will be readily perceived that here are inflammable materials enough, to create an explosion, whenever the torch is applied. Still the question remains to be solved, why the King is so personally obnoxious, that his life is exposed to continual danger. And to answer this, we must look back at the Revolution of July, and see the effect it produced upon the various parties which combined to achieve that great work.

The restored government of the Bourbons met the fate which was to have been anticipated from a family characterised, with more justice than is usually found in antithetical sentences, where truth is too often sacrificed to point, as having "learned nothing and forgotten nothing." Their unconquerable prejudices and their studied ignorance of the feelings of the country they were called to govern, after an exile of twenty-five years, were the prognostics, as well as the causes, of their ultimate fall. Their Imperial predecessor had indeed left them a difficult task, even had they been required to fulfil it under happier auspices, and with habits of thought more in unison with the circumstances of their position. His career was so brilliant, that it may well have dazzled his countrymen, and left them unfitted for a milder domination. He was indeed a wonderful man; and I have been more powerfully impressive than ever, since my arrival in France, with the prodigious force of his character and with the gigantic scope, as well as with the vast variety, of his plans. I have often questioned the old military veterans of the Hotel des Invalides—those living remains of Jena, and Wagram, and Austerlitz, and of a hundred other fields,—respecting their General, Consul and Emperor; and it was easy to see by their sudden animation, and by their eager narrative, how proud they were to recount any little incidents which had connected them with him. His visit to their guard fire, and his acceptance of a piece of their campaign bread, constituted epochs in their lives, to be lost only with the loss of reason or of existence. I am satisfied that circumstances have not been favorable to a just appreciation of the whole character of Napoleon in the United States. While he was at the head of the nation, we surveyed him very much through the English journals, and we imbibed all the prejudices which a long and bitter war had engendered against him in England. To be sure, his military renown could not be called in question, but of his civic talents a comparatively humble estimate was formed. I have since learned to correct this appreciation, particularly after I heard, at the hospitable table of General Dumas—an early friend of the United States, and who has since terminated his long and honorable career, universally respected and la-

Digitized by Google

mented,—a discussion concerning the comparative merits of Louis the Fourteenth and of Napoleon, as legislators and administrators. Those who took part in this interesting conversation were eminently qualified to support their peculiar opinions, and to review and analyse those events in the reigns of these sovereigns best suited to develope their personal characters; and still farther to mark those national institutions which have survived them both, and upon which the genius of the one or the other was imprinted. And I was not aware, till that time, that Louis XIV. occupied so high a station in the opinion of the French nation. I had pictured him—and such, I think, is the general estimate which the Anglo-Saxon school of history has formed of him—as a monarch imposing in his personal appearance; magnificent in all his views and habits; ambitious, rather from pride of character, than from the spirit of conquest; passionate for praise, under the guise of glory; encouraging the arts, to be extolled by the artists; and proclaiming himself the protector of literary men, that he might receive in return their adulation. But when I heard a vivid parallel run between him and the Emperor, and his claims to the approbation of posterity urged with great force of argument and knowledge of history, I began to recognise my error; and have subsequently returned from the illusion, if I may so call it, which concealed from me the true characters of two of the most eminent men in the history of France.

I had a conversation not long since with a retired statesman, heretofore a prime minister, and who was an active member of the Council of State when the Code Napoleon, that lasting monument of legislative wisdom, was under preparation and discussion. He told me the Emperor was punctual in his attendance at all the meetings, and careful in the consideration of the various subjects which occupied them; evincing wonderful sagacity, and great knowledge of the intricate questions, embracing the whole circle of human action, which were presented for solution. His zeal did not flag during all the progress of these labors, and there was great freedom of discussion; it being ardently the desire of the Emperor that all the important points should be subjected to profound examination; and fortunately for the character of the work, and for the welfare of the country, the Council contained many men qualified by their studies, habits, and talents, to render these new *pandects* worthy of the general intelligence of the age. I asked my informant, how the question of acceptance or rejection, as the several chapters came up for consideration, was determined; and, like a true American, I inquired if they were put to the vote. He smiled, and said there was no voting in the Council of State upon those topics,—that the Emperor listened patiently to all that was said, and then gave his opinion, and thus terminated the subject. He had, indeed, too often an iron will and a heavy hand, and a grasp of ambition that seemed to augment as kingdoms gave

Digitized by Google

way before him. His fall was a salutary lesson, and useful to the world, though the pride of the country was humbled, and its wishes disregarded in the new transfer of power.

But if he was ambitious, he was ambitious for France; if he loved glory and power, he loved his country more; and he finally fell because he would not consent to reduce her extent, and to deprive her of the fruits of a quarter of a century of victories. But his successor at the Tuilleries could not participate in this feeling, and it seemed as though it were his wish to annihilate the memory of all that France had done and earned after his expatriation. Consolidating the two reigns of Louis the Eighteenth and Charles the Tenth, into one, we have a period the most remarkable, perhaps, in the history of the world, for the want of adaptation of the measures of the government to the circumstances around it. There was a continued effort to approximate the epochs of 1789 and of 1815, as though the intervening events could be erased from the annals of mankind, and their effects from the memory and feelings of the French nation. How blind must he have been who could not or would not see, that in that space ages of ordinary life had been compressed; and that there was more sympathy between the state of opinion at some of the turbulent councils of the middle ages and the convocation of the States General in 1789, than between the latter event and the accession of Louis XVIII. to the throne of his ancestors. The change of flag, the war against the monuments of the Revolution, the careful removal of every memorial of Napoleon, and many circumstances of a similar character, which must be fresh in the recollection of every reader, are sufficient to indicate the tone and spirit of the new rulers. But there is an anecdote which, I have been told, is related in the diplomatic circle of Paris, that is so supremely ridiculous, and withal so truly characteristic of the fatuity—for I can give it no milder term—of the unfortunate Charles X., that I cannot withhold it from your readers. This King had an inseparable aversion to pronounce the name of the King of Sweden, because he was a *parvenu*, having been freely raised by that gallant nation for his eminent qualities to the throne from which they had driven the unworthy descendant of their ancient line of princes. But this act of national justice was an unpardonable crime in the eyes of the restored monarch of France. At his levees, when he received the Diplomatic Corps, he usually addressed to each representative of a monarchical government some question respecting the health, residence, or family of his sovereign. When it came to the turn of the Swedish Minister to be received, the King, inflexible in his determination to avoid all reference to the Northern monarch, inquired if there were any news from Sweden. The Minister, the Count de Loewenheilm, a man of great worth and a veteran officer of high rank, as resolute that the King should hear the name of his sovereign as the latter could be not to pronounce it,

Digitized by Google

invariably replied: "I thank your Majesty, my master, the King of Sweden, is very well." And I have been told, by those who have often witnessed this royal and diplomatic encounter, that the question and answer were as regularly put and returned, as any other ceremony of the presentation. And the thing was so well understood, that the whole circle always prepared itself to see the effort of the King to preserve his dignity—and to smile at an exhibition of royal weakness. And yet such are too often human rulers. I think it probable, that our late Minister, Mr. Rives, who is favorably remembered in Paris, may have witnessed this contest of dignity between the French King and the Swedish representative.

How different the conduct of Louis Philippe. He has associated himself with the glories of his country, and no petty jealousy has prevented him from doing justice to Napoleon. It is the province of genius to appreciate genius, and the King, no doubt, recognises the eminent qualities of the great child of the Revolution. His busts and engravings are everywhere to be met with; and his bronze statue, which stands upon the column of the Place Vendome, on which his glories are recorded, looks out upon his favorite city like some guardian genius. And I understand that the carpet which covers the saloon of reception, at the Tuilleries, was the work of Napoleon's day, and is emblazoned with his imperial emblems. It covered the same room during the Empire, but on the restoration of the Bourbons it was removed and deposited in some lumber apartment; whence, however, it was withdrawn by the present King on his accession to the throne, and restored to its original distinction.

It is scarcely credible, yet the fact is well known, that when the result of the elections of 1830 had left the government in a minority in the Chamber of Representatives, and had given proof of the discontent of the country, no preparation was made to meet the storm which the measures in contemplation necessarily tended to produce. The faithless and violent attack upon the constitution, dignified with the name of a *coup d'état*, but which was in truth one of the most perfidious efforts which power has ever made to crush public rights, found the King at St. Cloud, calmly enjoying the pleasures of rural life. When the cannon of Paris, the knell of his power, announced to him that the people had risen, and that his crown, and perhaps his life, depended on the issue of the contest, he was engaged in a game at cards, and tranquilly gave orders to his *Grand Huntsman* to arrange a hunting party for the next day. But that day opened with a different chase, and there were other hunters and other game in the field, and the unfortunate monarch became himself the stricken deer. Had his effort of arbitrary power proved successful, the fruits of the Revolution would have perished, and France would have been prostrated at the foot of a master. Still more, it would have been the signal for the death-blow to all the free institutions of continental

Digitized by Google

Europe, and would everywhere have opened the way for the same conspiracy against public rights which is now so boldly in progress in Hanover. But France arose in its strength, and the reigning branch fell in its weakness. A new order of things was substituted for the past, and a new dynasty called to sit upon the throne. But this period of change was necessarily a period of excitement. All but the advocates of exploded principles put their hands to the great work of restoration, though with expectations as different as the various shades of opinion which divided them. This state of feeling is well illustrated by the phrase then so much in vogue, and which seemed to embody the opinions of a great portion of the community, "a monarchy with republican institutions." The thought was new and the expression epigrammatical, and it took forcible hold of the public imagination. Every one knew what a republic was, and every one knew what a monarchy was; but a monarchical republic, or a republican monarchy, was a something new under the sun, and every one was left free to give to it such attributes as agreed best with his own political views. And in this latitude of expectation, no doubt, many warm and honest partisans belonging to different shades of opinion saw in the new government the very *beau ideal* they had formed for themselves in their political reveries. A monarch called to administer a government under these circumstances, becomes in fact the representative of the various parties, contributing to the work, and each expects that the measures to be adopted will be in conformity with the *programme* he has formed for himself. A curious proof of this disregard of opinion is to be found in the published narrative of a committee which waited upon the King some time after his accession, among which was Mr. Lafitte, and where it is quite evident that very different expectations had been formed respecting the general tendencies of the new government. The parallel between the great revolutions of England and of France, and their subsequent events, till the establishment in each country of a new line of sovereigns, is so striking, as not to have escaped the observation of the most careless reader of modern history. But Louis Philippe did not, as did William the Third, owe his elevation to the throne alone or principally to his relation to the expatriated branch. He was indeed the eldest of the second line; and in his accession the principle of succession was violated as little as possible, consistently with the revolution effected. But the preservation of that principle would not have been enough to secure the crown to him, had he not possessed other advantages, resulting from his character, principles, talents, and services, which weighed heavily in the balance in his favor. He was called to the throne by general acclamation, and never could a position be more difficult, both with respect to external and internal affairs. Europe was upon the *qui vive*, standing with arms in hand, mistrusting the new government, and almost ready to recommence the work of invasion. At home, as we

Digitized by Google

have seen, each party looked to the King as the representative of its opinion—not because he had come under the slightest obligation, except the general one imposed by the Charter, but because the foundation of the new government was laid hastily, and amid general excitement, and without that cool and public deliberation which is essential to the perfection of such a work; and because there was consequently ample room for the most fervent politician to find his favorite principles promulgated and established. When, in the progress of the administration, different parties and sections of parties found their expectations disappointed, and the Utopia which had been anticipated giving way to the reality of a government adapting its energies to the trials it was destined to encounter, then came the conviction of unfulfilled hopes, and the bitterness inseparable from political exaltation awakening to the belief that it had been cajoled and deceived. And the King, from the course of events, was held responsible for all these disappointments, and soon became peculiarly obnoxious to the partisans of all the opinions tending towards republican principles. The Revolution of 1789 gave a severe blow to the Christian religion in France, from which it will take a long series of years, fully to recover; and to this day society is in a great degree deprived of the security which the principles of Christianity, where they are firmly established, are so well calculated to ensure. When, therefore, political passions break out violently in France, there is little to restrain their operation but the fear of punishment. And this is often set at nought by the zeal and fanaticism which have come down to the younger class of the existing generation, as one of the most striking legacies of the Revolution. There are at all times, in these old countries, many desperate adventurers, desiring a change in the actual establishments, in the hope of finding some personal advantages in the confusion. And it is difficult for an American to conceive an idea of the true state of the working class, upon whose passions these men continually operate. Perhaps thirty cents a day, or a little more, may be the average price of labor throughout France; and out of this the workman must clothe and feed himself. And then come the seasons of interruption, when work is almost discontinued, and when the starving mechanics are thrown upon the community, to seek the support of life as they can. With us, every honest industrious man can reasonably expect to provide something in the meridian of life for its decline.* By emigrating

* Of the causes of this depressed condition of the laboring population of France, notwithstanding the immense advantage possessed by that country over our own in the stability of its currency, this is not a proper place to speak. The leading ideas will readily occur to the reader—in the inferiority of education, intelligence, and enterprise, the chief elements requisite to make labor effective and valuable—the multitude of clogs upon the freedom of industry and capital, arising out of misgovernment and monopoly—and the density of population, together with the absence of such a national domain as we possess, affording an easy retreat, to the secure

Digitized by Google

westward, he can procure a piece of land, and close his days surrounded by his family. But such an occurrence in Europe would be little short of a miracle; and in this reasonable expectation of an eventual acquisition of property in our country, with the moral stimulus which accompanies it, and in this despair of the future which seems almost inseparable from the condition of a European laborer, I trace one of the most striking distinctions between a new society and an old one, and one of our surest guarantees for the perpetuation of our institutions.

An illustration confirmatory of this state of things is furnished by the law of conscription. By this law every young man, after the age of twenty years, is liable to serve in the army. He draws for his chance of enrolment, and is then called as his number, and the exigencies of the public service, may require. He serves seven years, precisely at the time of life when he ought to be forming himself for his eventual duties, and laying the foundation of any respectability he may hope to acquire. It is precisely the period which, with us, if lost, would be lost irreparably. The average annual demand of conscripts in France, to keep the army at its requisite number, is eighty thousand; and this immense amount is every year drawn from the class of the population in the very spring time of life, to be returned—such of them indeed, as have the luck, good or bad, as it may be, to return—seven years after, without any preparation for eventual usefulness. But the most remarkable fact in all this institution is the pay which these forced soldiers receive—a pay which, after making the deductions that go to the government for indispensable supplies, amounts to *one cent* a day, twenty-five dollars and a half for seven years' services! And yet this process of military supply seems firmly established and engrafted on the habits of society; nor have I seen, among all the propositions with which the public has been excited, since my residence here, for the melioration of the existing institutions of the country, a single allusion to this greatest of all practical oppressions. And I cannot account for this apparent indifference to a subject which strikes every American with astonishment, unless it results from the conviction that a bare support is all the laboring classes can procure by the most fortunate exertion, and that this may as well be in the army as elsewhere. One circumstance, however, renders this arrangement more acceptable than it would otherwise be, and that is its perfect equality. It operates upon all with the same severity, and is executed with the most rigid impartiality.

---

haven of agricultural independence, to all classes upon which a depression of the price of labor might begin to weigh onerously. A slight degree of reflection upon this contrast between the two countries, instead of proving anything against a solid, and in favor of an expansive paper, currency, will suffice to show the absolute necessity of such an improvement in our currency as shall enable us to maintain a competition with foreign labor, for the markets of the world, with reference to its *money* price, on something more nearly approaching terms of equality.—Ed. D. R.

Digitized by Google

But let us return from this digression, upon the peculiar state of public opinion in France, to the considerations connected with the personal condition of the monarch. The question, why he is exposed to those attempts at assassinations, which have so often afflicted all the right thinking portion of the community, and astonished Christendom, will not be wholly inexplicable, after the slight sketch I have given. But the King has another misfortune—a misfortune, indeed, for a King of France, in the opinion of some of his subjects, but an inappreciable blessing for the world—he desires the maintenance of peace, by all just means consistent with the rights and proper dignity of the country. From the earliest period of the developement of the *pugnacious power*, mankind have been more or less the passionate admirers of military renown and the dupes of military glory. But France is the country, *par excellence*, where these feelings have acquired the most powerful ascendency, and where, during many of the most exciting years in the history of the world, they were maintained at the highest pitch of exaltation by a series of triumphs, and ultimately, I may almost say, by a series of triumphal disasters, to which no parallel can be found in the contests of nations. The long war from the commencement of the Revolution to the return of the Bourbons—for the armed truce which succeeded the treaty of Amiens scarcely merits the name of a peace—nourished the military spirit of the nation, and engrafted its habits upon the institutions of the country; and notwithstanding the terrible interior evils with which, according to our views, this state of things must have been attended, it is still looked back to as the *glorious* period of French history. But the King has not suffered himself to be led away by this vain pursuit, sacrificing the solid welfare of the nation to the acquisition of an idle word, an acquisition to be reached only through years of trials, exertion, and misery. His personal courage has never been doubted, and many times during his life it has been put to rude proofs. When yet young he served, in a high rank and with great distinction, in that glorious campaign under Dumourier which drove the Prussians from the French frontier, and first made known the indomitable resolution of the new Republicans. I have heard an anecdote, connected with this part of the King's life, which I understand he mentioned, in an address to the officers, at one of the reviews that took place the last autumn at the camp of Fontainbleau, as an encouragement for good conduct in the military career—on which occasion there were present three intelligent young officers of our army, Messrs. Eustis, Turner, and Kearney, sent out by the Secretary of War to improve themselves in the cavalry school of Saumur. It illustrated, in a forcible manner, the wonderful moral impetus which the events of the Revolution gave to the adventurous portion of the community, and exhibits one of the most powerful causes of the enthusiastic attachment evinced for it. Among the manœuvres performed at Fontainbleau, was the formation

Digitized by Google

of a square by the infantry to resist the charges of cavalry, within which the King and his cortège took their position, as the superior officers do upon the field of battle, when such a disposition becomes necessary. The King remarked afterward, in an address to the officers, that in 1792 a charge of the Austrian cavalry, in one of the battles upon the northern frontier, had compelled a portion of his division to form a similar square, in which he placed himself, and by which the enemy was repulsed. In the ranks of that square, said the King, were two private soldiers, commencing their military career, and now, when, having almost finished it, full of honors and years, they are present upon the ground, to be found, not in the ranks of this square, but in the position formed by it, after having attained the highest honors of their profession. One of these fortunate soldiers was, I believe, Marshal Gérard; the name and rank of the other have escaped my recollection.

I never see the striking figure of Marshal Soult, without recalling the glorious feats with which his military life has been filled; but I experience a still stronger emotion when I recall also his noble and touching allusion to his original condition, made last winter in the Chamber of Peers, in a discussion upon a proposition to remodel the statutes of the Legion of Honor; during which some allusion was made to the old order of St. Louis. To correct a misapprehension that seemed to prevail, the Marshal stated, that the cross of St. Louis was sometimes given to the private soldier, as a reward for brilliant services. I was, said he, a private soldier during six years preceding the Revolution, and all my aspirations were bounded by a hope of obtaining this distinction. There is something exceedingly touching in this avowal, made by a Marshal of France, Minister of Foreign Affairs, President of the Council, and the first subject in the kingdom. And these are the men who would have been all their lives retained in the ranks of the army, had not the decrepitude of the old government, with its prejudices and oppressions, given way before the energies of a people awakened to a sense of their rights and to a conviction of their strength.

The government of July has displayed sufficient firmness upon several critical occasions, in Greece, in Africa, in Belgium, in Italy, at Lisbon, at Vera Cruz,* and at Buenos Ayres, and has vindicated the national honor. It can point, however, to no series of splendid victories, and is destitute of the *prestige* which these would give. But the leading policy of the King is to preserve peace, and this trait was happily hit by the eminent diplomatist, Pozzo di Borgo, in the expressive title he gave the monarch, that of the "Napoleon of Peace." The time will come, and indeed is fast approaching, when the true duty of governments will be better appreciated, and when the claims

* See, however, Democratic Review, No. xiii, p. 92.—Ed. D. R.

Digitized by Google

of sovereigns to distinction will be estimated, not by the number of victories they may achieve, but by the progress and improvement of all those establishments and institutions which minister to the moral cultivation and to the physical comforts of society.

But this period has not yet arrived in France; and since its installation the reformed government has been exposed to repeated attacks, open and covert, having for their object its overthrow. The journals of the day have reported the history and progress and failure of those efforts, and their general *bearing* is sufficiently known in our country. But the days of May 1839—(insurrectionary movements are emphatically called 'days' in France)—brought to light some new documents, and the prosecution which followed in the Chamber of Peers gave birth to one of the most extraordinary publications in the whole history of human society. Its disclosures furnish an entirely new chapter in the progress of modern civilization, and exhibit the social and political condition of France in the most sombre colors. This publication is the official report made by the Committee of the Chamber of Peers appointed, according to the usages of that body, when sitting as a court of criminal justice, to draw up the history of the offence upon which the parties are brought to trial.

This *acte* of accusation has nothing in common with the miserable contrivance, called an indictment, which we have servilely copied from the English law, and which announces to the accused, and to the accuser, and to the court, the offence for which the justice of the country is invoked. It would be hardly credible among other nations, and yet the fact is not the less true, that in the freest government in the world every person may be brought to trial, from one end of the country to the other, and called, in the face of that country, to answer the most heinous charge, upon a brief formal statement which has the least possible connexion with the true circumstances of his case. And to heighten the absurdity, every crime of the same nature, however different may be the facts connected with it, is described precisely in the same words; and this is so well established, that almost every prosecuting attorney furnishes himself with printed forms, and when a murder, a theft, an arson, or any other crime, has been committed, he draws from his files the proper blank form, and gravely inserts the name of the party, and as gravely, though without the least regard to the facts, the time and place when and where the offence is charged to have been committed; and behold, the unfortunate accused is sufficiently informed of the accusation against him—and all this notwithstanding the infinite variety of human actions, and the impossibility of finding two crimes precisely alike in their circumstances, from the commission of the first murder by the eldest born of Adam, to the last offence which has sullied the annals of justice. And to add, if possible, to this judicial mockery, these blanks left for time and place, which circumstances, independently of the

Digitized by Google

names of the parties, are all that remain to constitute the identity of the action, may be filled up with *any* time and *any* place; for although, in the wisdom of our law, these accidents are so essential, that, if not stated, the indictment is void, still it is wholly unimportant that the statement should be true;—you must aver, but you are at full liberty to aver one thing and prove another.

The indictment of the French law, if it may be so called, is a very different procedure. It contains a full narrative of all the circumstances leading to, attending, and necessarily following, the alleged crime,—not got up in dry technical language, but related with perspicuity, in the style which one would naturally use upon such an occasion. The *acte* prepared by the Committee of the Chamber of Peers, for the trial of the persons accused of the revolutionary attempts of the 12th and 13th of May last, has been published, and forms a pamphlet of upward of a hundred and fifty pages. It contains an able summary of the various insurrectionary movements to which the government of July has been exposed, and then passes on to a minute recapitulation of the circumstances attending the attempt of May, 1839. It is interesting to a foreigner, from the ability and frankness with which it discloses the true state of society in France at this moment, and the dangers to which the institutions of the country are exposed from the principles and position of a large portion of the population; and it is a curious picture of adventures, pursued with great pertinacity and personal danger, and with a single eye to fundamental changes in the kingdom. Some of these adventures, moreover, are as remarkable for the intense interest they excite, as for the intrepidity with which the actors devoted themselves to their voluntary task. Secret societies were formed, and the members were united by an oath of secrecy. And the arrangements were well combined to procure the accession of partisans, and to conceal the existence of the associations. Of this no better proof is necessary, than the statement of the fact, that the insurrection broke out in the city of Paris without the least preparatory signal, and the first notice which the authorities received was a sudden attack upon an armed post. Like almost all the inhabitants, I knew nothing of it till I heard the beating of the *rappel* in the streets, which is the call for the instant assemblage of the armed force.

I have been surprised, that the judicial proceedings to which I allude, and whose developements are so extraordinary, have not excited more attention out of France. I have met with but one notice of it, and that a meagre one, in any English publication; and as to the Continental press, I believe it has overlooked it entirely. And yet, as well from its authenticity, as from its developements, it justly merits the attention of every observer of the signs of the times.

The judicial proceedings to which I have adverted disclosed the existence of certain secret societies, and also their machinery, princi-

Digitized by Google

ples, and objects. Their organization appears to have been well adapted to the ulterior designs of the party. Candidates were admitted with prescribed ceremonies, tending to produce a powerful impression upon their imaginations. They were blindfolded, accompanied by a guide, who made the necessary answers, and took an oath of secrecy and obedience. A poniard was placed in their hands, as a symbol of the power of the society over its members, and they invoked its employment in the event of their infidelity. The members were not known by their actual names, but each received a *nom de guerre*. They were required to propagate their principles; to make no confessions, if interrogated by the authorities; to execute, without reply, the orders of their chiefs; to furnish themselves with arms and ammunition; and carefully to avoid writing upon the subject of the association. At the initiation a series of questions and answers passed between the President and the Candidate, which discloses the objects of the association, and the means it proposed to employ. This political catechism is a mixture of the wildest fanaticism and of the most frightful cruelty; and reveals a state of feeling, and an aberration of principle—and, I might almost add, of reason—wholly unknown in our calmer and happier country. Before I touch these articles of faith, I am tempted to advert to another document, which, while it will provoke a smile upon the countenance of every American, will perhaps bring home to his conception the true character of these efforts better even than a mere formal enunciation of them. The chiefs of the party published a journal devoted to their doctrines, which escaped for a while the researches of the police, and which was extensively, but secretly, distributed. In the fourth number, dated February, 1838, is an article, entitled "Exterior Review," in which a sketch is given of the condition of some of the free countries in the world, with the apparent design of impressing upon the French *republicans* a just idea of the high destiny to which they were called, in the formation of a *model republic*, by exhibiting the unfounded pretensions of the freest existing governments to any regard from the disciples of this new school of practical freedom.

Speaking of England, the *dispassionate* reviewer calls it "that ignoble nursery of shop-keepers, of land-holders, of jailors and of executioners ..... who not satisfied with its own prolétaires, (literally, persons without property, but meaning the *sans-culottes* of the Revolution) groan under the triple yoke of the aristocrats, the priests, and the stock-jobbers, and who wish to crush our brethren in Canada ..... Like all monarchies—like Charlemagne, the killer of the Saxons—like Charles the Ninth, the author of the murders at St. Bartholomew—like Louis the Fourteenth, the bigotted assassin of the Cevennes—like Bonaparte, the manslayer *par excellence*—like Charles the Tenth, the mitrailleur, (*the grape shot firer*)—like Louis Philippe, in fine, the man of November, of June, and of the Rue Transnonain—like all these

Digitized by Google

infamous wretches, the valets of the royal puppet put all to fire and sword in America."

If this *chaste and able* writer has seized the prominent traits of the Anglo-Saxon parent, he shows himself equally happy in his appreciation of the condition of her transatlantic descendant. Passing to the examination of the United States, he calls the government "a *ridiculous* republic, and a money-loving aristocracy." This last stroke is indeed the unkindest cut of all. When an American is accused by a Frenchman of an inordinate love of money, and when a French republican, the great burden of whose complaint is the unequal distribution of riches in his country, and the profligacy of his rulers, arraigns the American government for its economy, there is nothing farther to be expected in the whole range of human inconsistencies. This kind notice is terminated by a declaration, "that there are hopes of an immediate realization in the United States of the dreams of Collot d' Herbois and of Billaud-Varennes, those heroic remains of 1793." Dreams indeed! and by what a fearful awakening would they be followed. No, God be thanked, licentious release from law, religion, and the institutions of social life, and the triumph of prisons, guillotines, noyades and massacres, are probably the most distant evils the inhabitants of the United States have to fear.

But it is necessary to return to the Candidate, who is awaiting the developement of the mysteries which surround him. One or two of the questions and answers will serve to give a general notion of the new light which is to break in upon him, when the moral blindness that obstructs his mental vision shall be removed, as the natural light will strike his organs of sight when the bandage which covers them shall fall:

Question—"Is a political or a social revolution necessary?"

Answer—"A social revolution..... The social state being gangrened, to arrive at a state of health requires *heroic remedies*; the people will have need during some time of a *revolutionary power*."

What is here meant by "*heroic remedies*" and "*a revolutionary power*," may be learned in the history of France during the despotism of Robespierre. A "social revolution" means the destruction of all the rights of property.

Question—"Who are now the Aristocrats?"

Answer—"They are men of property, bankers, furnishers, monopolists, large proprietors, brokers, in a word (exploiteurs) land-holders, who fatten at the expense of the people."

Question—"Those who have rights, without fulfilling duties, like the aristocrats of the present day, do they make part of the people?"

Answer—"They ought not to make part of the people; they are to the social body what the cancer is to the natural body. The first condition of the return of the body to health is the extirpation of the

Digitized by Google

cancer. The first condition of the return of the social body to a just state is the annihilation of the aristocracy"—or in more direct, though not in plainer, terms, *the death of all who possess property.*

One of the papers seized by the police was a letter from a principal conspirator to another active member of the society, in which, after proceeding to reprobate the press for its cowardice in not defending the attempt of Fieschi to destroy the King and his cortège with his infernal machine, and then asserting its "absolute justification," the writer breaks out into the following apostrophe: "But Morey! Morey was sublime from one end of the drama to the other—this old prolétaire (*sans-culotte*), conceiving the idea of regicide, forming the plan of the machine which was to execute his design, loading the barrels and aiming them." Recollect that this glorious plan was merely the preparation to discharge a murderous machine, loaded with a prodigious number of balls, upon a dense crowd of citizens of all classes, passing along the Boulevard, and by which more than twenty persons were killed and wounded. "Oh my friend," continues this rhodomontade, "the revolutionary tradition is dead in the hearts of the people. They have not felt the holiness of the death of Morey. The people have seen that white head fall without regret. They have rejoiced at it. It was thus the Jews railed at Jesus Christ upon the cross. When will come the day of recompense!"

In one of the publications called the "Formularies of the Democratic Phalanxes," it is announced, that the candidate ought to take an oath to destroy, and to contribute to the triumph of the equality of the social conditions, *founded upon the equal division of all the products of the earth, and of industry.*

Another piece, entitled "An Ode to the King," commences by a classical quotation, from the stern historian who has described with such force of style, and strength of indignation, the imperial vices of Rome—

"Recte occisus est!"
(*Tacitus*)

Then follow some horrible sentiments, the purport of which may be judged by these quotations: "Yes, whoever is chosen for holy homicide ..... if his life has been tarnished with thefts and assassinations, will become free from spot and cleared from all infamy, as soon as he shall have washed himself in the blood of Kings" ..... "Oh Virtue, the poniard, sole hope of the earth, is thy sacred arm, when the thunder suffers crime to reign!"

In the fifth number of the Republican Monitor was an article in which the most holy names—and among others those of Moses and our Saviour—were placed in juxtaposition with the names of Robespierre, St. Just, and Billaud-Varennes; and the editor, after drawing a comparison between their respective claims, assigns the first place

Digitized by Google

to Billaud-Varennes, and points him out as a model of every virtue, public and private.

In the sixth number of the same journal, it is said: "There is, then, but a single resource to employ, regicide, tyrannicide, assassination, as they would term this heroic action." And in order that what he calls "*this prejudice*" may not arrest the hand of the assassin, the editor continues: "It is, without doubt, beautiful to be an atheist, but that is not enough," &c. .... "The tyrant, who spares no crime against the people, ought in the absence of Providence, which exists but for fools, to meet a man who can treat him according to his works."

To the Republican Monitor succeeded the Freeman, which, in its number of the 10th of September, 1838, contained an article upon Inheritance, in which it contested the right of the hereditary succession of property, which it considers an injustice and spoliation; and it qualifies with the same character the right of property itself.

In the next number of the same journal, it is announced, that "we shall fulfil a duty by destroying the social edifice from bottom to top," &c. .... "The land ought to belong to everybody; those who possess nothing have been robbed by those who possess something."

The second article of the same number is entitled "Journalism," and it reproves the press in general for its indolence and fear. It reproaches it with neglecting the developement of republican principles, and with occupying itself with religious discussion. "It ought to accost questions of principles ..... We want now more than changes of men..... It ought to say, all that is connected with religious worship is contrary to our progress; while at the same time whenever people are religious, they talk nonsense." But one of the most impious and disgusting of all these appeals to vice and ignorance was an address published at Carcasonne in 1837, and signed by Barbès, the hero of the *émeute* of the 12th and 13th of May, and five other persons. In this production our Saviour is called the *democratic Son of Mary*.

That such seed sown in such soil should bear its natural fruit, insurrections, murders, and other crimes, is only in the usual course of human affairs. But while I am writing, a striking fact has taken place, proving how deeply these deplorable doctrines have become inracinated in the country, and how feeble are human institutions to repress disorder, when culpable fanaticism has reached a pitch of exaltation which renders the enthusiast as reckless of his own life, as of that of another. A young man, not eighteen years of age, met a police officer upon the Boulevards, and deliberately shot him down. The victim was utterly unknown to the murderer, but the latter had been accused of some participation in the *émeute* of May, and committed this atrocious act to gratify an indiscriminate thirst for vengeance. An Opposition journal, the Courrier Francais, makes the following reflections upon the subject, which are not devoid of interest:

Digitized by Google

"A sergeant-de-ville has been shot in open day, in a frequented street, and without any provocation. It is not a malefactor by profession, who has committed this crime. A motive of vengeance, that we regret to call political, has, it is said, influenced the assassin.

"The fact is a grave one, graver than we can describe. It seems to prove, that political passions are degraded in France, and that the manners of the southern countries have penetrated among a people whose distinctive character has heretofore been loyalty. The days of the fifth and sixth of June were a pitched battle, fought between a party and the public force. The *émeute* of 1839 presented a character more atrocious, for the insurgents fired upon the soldiers nearly disarmed; but they were yet far from these tactics of assassination attempted upon the isolated agents of authority. But if things are at this point, if the crime is to be reproduced, we shall have fallen into barbarism.

"The most extreme parties are not less interested than the most moderate opinions in refusing all kinds of sympathy for such acts. A party which should encourage them, even by its silence, would present itself to posterity with a spot upon its flag. But we adjure all good citizens to think upon it. What prevents malefactors, numerous and organized as they are, from putting society in danger, is the conviction that they are hated and despised by all the world, and that they can nowhere find support. Let them reduce to the same isolation the small number of men whom political passions may have made insensible to despair, let them be deprived even of the approbation of their co-believers, and they will not fail to return to better sentiments."

This is all very true, but the evil is far deeper than the writer seems willing to avow; and his remedy is but the palliative of the empiric, who knows neither the constitution of the patient, nor the pathology of the disease. He must go far deeper into the organization of society in France who hopes to restore this part of the public body to a sound state.

As to the consequence of such doctrines and their practical inculcation, these are sufficiently obvious to strike the attention of the most careless observer, and sufficiently alarming to awaken all his solicitude. Where moral and religious principles have lost their force, and human punishment its terror, what hold has society upon its members? And when, to the freedom from these necessary restraints, is added the impulse which is given to crime by the excited passions that so many causes call into action, it is rather to be wondered that no more serious misfortunes have marked the progress of movement and opinion in France. The *Assassin* of the age of the Crusaders, and the Indian who *runs a muck* in more modern times, were fanatics of different schools, but not more dangerous in the execution of the plans

Digitized by Google

marked out for them, than the young man who sacrificed the serjeant-de-ville to his vengeance.

I must give you a little interlude as a vehicle for conveying a French notion of a revolution. Mr. Guizot has translated the work of Mr. Sparks containing the biography and writings of Washington, and has prefixed to this translation a memoir, written with great force and beauty, upon the character of our illustrious countryman, and upon the spirit of the times in which he lived. Many of the prominent features of the man and of his age have been considered and happily exhibited. The great error—and it is a common error in Europe—has been to assign to Washington too important a part, and to the body of the people too insignificant a one, in our great political drama. Our social constitution is an enigma to the old world, and it is obvious, in all their speculations upon our true condition and upon the probable duration of our institutions, that that element of our safety which depends upon general knowledge, and upon the moral force of a well regulated public opinion, a public opinion in which all partake, is either wholly unknown or very imperfectly comprehended. Washington is the great figure upon our political canvass; and he who knows no revolutions which are not regulated and controlled by some master mind, and among a people who require a visible representative with whom to embody their opinions—and, as the critic says, whom we shall quote by and by, a *bloody shirt* as a material emblem of their wrongs—may well suppose, that the leaders alone possessed the moral force which carried our country through her struggle. But the issue depended on no one man; and though the peculiar characteristics of Washington were admirably suited to his station and duties, still the great work would have gone on to its consummation if he had never existed. Nor was there a single moment, from the firing of the first gun at Lexington, till the disappearance in the horizon of the British fleet, after the evacuation of New York, when the commander of the American armies could have seized the sovereign power. Such an occurrence was impossible, as we all know. And had the defection of Arnold been followed by a thousand examples, this mass of treason would have left the great struggle unscathed. Certainly any untoward attempts like these would have shaken public confidence in the prominent men of the day, and would have added to the difficulties of the arduous contest; and another commander, by a series of measures less adapted to the position of the country and to the habits of the troops, might have encountered more reverses, and rendered more sacrifices necessary. The elevation of Gates or Conway to this position would certainly have gone as far to hazard the success of the cause, as it could be hazarded by comparative presumption and imbecility.

I am sure you will not understand me as seeking to detract, in the

Digitized by Google

slightest degree, from the just claims and fame of our venerated hero. No, he stands in my estimate of human character above all mere men who have ever existed. His principles and conduct are the brightest spot of history. But justice to his memory does not demand any extravagant panegyric, which, while affecting to exalt his merit, degrades the character of his countrymen. If he were yet on earth, he would be the first to disavow such pretensions. There was glory enough in the Revolutionary struggle to allow a just partition among all who participated in it. I am sure Mr. Guizot is above any such narrow feeling, but there is evidently, in these European efforts to appreciate, and to over-appreciate, the importance of Washington to the successful result of the Revolution, an *arrière pensée*, as the French say, deserving anything but commendation from an American. As the influence of a chosen one, or of a chosen few, ascends in the estimate of general exertion, the value of the services of the great mass of society diminishes. Our Revolution was an epoch, dividing two great periods in the history of man. It shuts out the time of blind submission to arbitrary power, and opens that of examination, of discussion, and of *resistance*. It is a great landmark, an object of terror to some and of hope to others, as their habits of thinking render them more or less susceptible to the advantages of political progress. Mr. Guizot is a Conservative, but he sees in our Revolution a natural and just change of political institutions. It is obvious, however, that he deprecates any farther convulsions in France. Those less liberal than he is in their appreciation of our condition, and equally indisposed to domestic changes in their respective countries, but who cannot call in question the striking moral features of our Revolution, feel their self-love less wounded, and their principles less compromitted, by exalting an individual, than by praising a community. The American Revolution was a great event—though, as they think, *not a happy one*—but it was principally due to one man; and that man, by some accidental dispensation of Providence, was placed as far above his countrymen by his eminent qualities, as by his services and position. Any sacrifice is better, in the eyes of this school of opinion, than a recognition of the intelligence and moral force of the American people.

But to return to Mr. Guizot's work. It has just issued from the press, and has already led to several favorable criticisms in the journals; and yesterday in one of the papers having the most extensive circulation appeared a critical notice written and signed by Mr. Leon Foucher, who, I suppose, is one of a class of authors abounding in Paris, who devote themselves to a kind of fugitive literature for the journals, Reviews, and other periodical works. Many of them are highly esteemed for their general ability. They write criticisms, literary notices, and what are called *feuilletons*, that is, tales and essays which occupy the lower part of the journals, across which a

Digitized by Google

separating line is drawn—above this line being found the usual contents of a daily paper, and below these literary productions. They are generally signed by the author; and if you take up a Paris newspaper this line of demarcation will at once strike your eye, and you will find it is a boundary which separates two different provinces of human knowledge. I understand that many writers are supported by their labors in this more humble field of literature, though I do not know the amount they receive. Some of the most celebrated literary names of France, however, are to be found in these repositories.

Our system of newspaper subscription is very little known in this country. With us, subscribers and advertisements support the journals, and he must be poor indeed who is not upon the subscription list of some newspaper printer. But here there are almost no advertisements, the price preventing their insertion; for the charge, including the tax, is from thirty to forty cents a line of between thirty-five and fifty letters. And the general subscription price of a newspaper is sixteen dollars, and this newspaper not resembling one of our formidable sheets, but presenting a latitude and longitude indicative of a great change of climate in this department of public information. It is in the Cafés and reading rooms, and similar places of public resort, that all the journals of the day are to be found. These places are frequented by regular subscribers, as well as by other persons. They pay two *sous*—a little less than two cents—each; and for this sum the readers can remain in the reading rooms as long as they please, and peruse at their leisure all the papers of the day. There are places where, in addition to this mental enjoyment, more substantial comfort is sold in the guise of a cheap meagre red wine, and here the lounger seats himself, with his favorite journal and his glass of *vin ordinaire*, and seems to laugh at the world, while he assuages his carnal and mental appetite at the same time. The French are both a frugal and a temperate people, and their peculiar system of personal comfort is well adapted to these principles of their social life.

Mr. Leon Foucher indulges in some speculations upon our Revolution, and criticises some of the criticisms of Mr. Guizot. After recognising, with the illustrious author, that the grievances which led to our separation from England were rather abstract than practical, rather apprehensions for the future than wrongs of the present, and consequently not of a nature to produce a powerful impression upon the mass of society, he adds: "It is by spreading out the miseries of the workmen, the *bloody shirt of some victim*, the humiliation of all, that the people are excited to take arms." He remarks—"that it is only the high intellects, which regard the question of right; and that the Revolution of the United States would never have become popular, if the English authorities, in the course of the contest, had not committed acts of cruelty which exasperated all men's minds." He then proceeds to state, apparently as a corollary of what may be called

Digitized by Google

his bloody-shirt principle, that our Revolution was not popular with what he terms the *inferior classes;* and then continues; "There lies the true cause of the embarrassment which has struck Mr. Guizot, and that Washington could alone overcome, by his prudence, as well as by his firmness. Transport to the France of 1789 the principle of the American Revolution, and one campaign of the coalesced powers would be enough to crush her. Admit that the principle of the French Revolution would have operated upon North America in 1775, and to drive the English into the sea would have been for Washington an affair of three months only."

And all this the writer no doubt considers the true philosophy of history. In his self-complacency, as an author and a Frenchman, it never occurs to him, that what he calls the different principles of these two great revolutions,—or, in other words, the state of excitement and of terrible crimes, which marked the progress of the one event, and of firm resolution and continued exertion, destitute of all political fanaticism, which distinguished the other,—drew their origin from the characters of the respective people pushed to these struggles, and not from any peculiar political opinions of either of them, regarding the foundation of their rights, or the duty of resistance. The Frenchman might have considered the prospect of future oppression not worth immediate exertion, while upon his ardent temperament a single wound may have required the propitiation of the fall of the Bastille. But most assuredly the Americans did not want a visible signal to push them on; and he who should have displayed a *bloody shirt* for that purpose would have been followed by the contempt of the spectators, and saluted with stones by every idle boy in the streets. It must be remembered in all attempts to analyse the views of the French writers upon our country and government, that there is one peculiar fact to be kept in view, of the utmost importance in its bearing here, but which has not the slightest point of resemblance to anything in the institutions of the United States. In all questions of national opinion and of political movement, Paris is France. From the first explosion in 1789 to the last *émeute* in May 1839, not a single popular effort has overturned, or seriously threatened to overturn, the existing government, which has not originated in the capital. And a very slight knowledge of the elements of the society which compose its mass of a million of inhabitants, is sufficient to explain how this multitude may be excited, and how a *bloody shirt* may perform an important part in the revolution of a kingdom. But, God be praised, we have no Paris, with its powerful influence and its inflammable materials. He who occupies the loneliest cabin upon the very verge of civilization has just as important a part to play in the fate of our country, as the denizen of the proudest city in the land. There is no tocsin from a tower, nor any *rappel* from a guard-house, which can announce to the defenders of our institutions, that they

Digitized by Google

are in danger. A drum or a bell whose roll or whose peal could reach the hundredth part of those upon whose affections our political edifice rests, will never be made by mortal hands. Such a sound will be heard but once by the human race.

It is not to be doubted, that the British travellers who have visited the United States, and who have favored the world with the results of their observations, have produced an injurious effect upon the European estimate of our standard of morals and measures. There are a few honorable exceptions in this class of writers; but most of them are mere gossips in pantaloons or petticoats, who have crossed the Atlantic to read us homilies upon our barbarous usages, and who have returned to convince their willing countrymen that political institutions and social life in the new world offer nothing consolatory to the observer. From the first to the last, and in some respects the least, of these travellers, Captain Marryatt, they have been distinguished by two traits of character, differing perhaps in intensity, but whose effects equally pervade the records of their observations, a hostility to our institutions, and a gift of credulity utterly incompatible with a calm appreciation and a judicious examination of the peculiar moral features which our country presents. The worthy naval officer has the power of swallowing, and the faculty of digesting, such extraordinary productions, that if a classification were founded upon this capacity of conversion, he would certainly find his place in the neighborhood of the ostrich.

I have been pleased to observe, in the few notices which his work has called out in England, that its character has been estimated at its just value, and that the disposition of the traveller to be gulled has been recognised, as well as a corresponding disposition to gratify him wherever he went; so that he has gravely seized all that was offered, and manufactured much of a new book out of old jests. I felt assured of this, when I saw a quotation, for I have not inflicted upon myself the punishment of reading the work, wherein he asserted that if you ask an American office-holder the value of his office, he will tell you it so much "besides *stealings*;" and that it is a common expression in the States to say "a place is worth so much, besides *cheatage*." And then, I suppose, follows a chapter upon American morality. Indeed, appropriate jests to serve as texts for such dissertations are easily found by him who seeks them; and it is curious enough, that while I am writing, the press has sent out a work, to furnish as it were a proof of the truth of this remark. Sir Robert Steele has published a kind of history of his life and times, under the title of "The Marine Officer." He gives a picture of the "*stealings*" in the British Navy, using a different term indeed, that of "*abuses*;" but as "a rose by any other name would smell as sweet," I suppose the true character of the act is not much changed by the denomination. As I know nothing of Sir Robert Steele, I cannot judge whether he has

Digitized by Google

fallen upon some shrewd countryman, disposed to test his *bump of belief*; but if he has, I can vouch for it, that his kind retailer of anecdotes has not more shrewdness nor dry humor than my friend A * * * *, of the Sault St. Mary's, who let Captain Marryatt into the secret of this sin of the American office-holders. But to the "stealings" or "cheatage" of English office-holders. "The abuse," says Sir Robert Steele, "in the rating, and even the practice of fictitious rating, on board ships, is totally changed since the time when the sailor and the marine were crossing the admiral's paddock at Plymouth, in which two long-tailed coach-horses were grazing, and Jack took a shy at one of them with a stone. 'My eyes, Jack,' exclaimed the jolly marine, 'don't pelt that poor fellow—he's rated quartermaster on our ship's books!'" I commend this anecdote to Captain Marryatt; it may be made to suit the latitude of the United States in the next edition of his book, with about as much change in its version as many stories he has told; and which are not less familiar to the American lover of fun, than the choicest jokes of Joe Miller.

I am well aware that this class of writers is below serious criticism, and that the periodical press of England has taken us to task for the too great sensitiveness we have shown to their attacks. There is some justice in the observation. Flies, as they say, should not be broken on the wheel; but I do not see why the musquito may not be brushed away, when he pesters you with his bite—or with his hum, which is worse than his bite. Our worthy Anglican progenitor, like many a professor who speaks *ex cathedra*, can preach better than practice. This too great susceptibility, or *thin-skinnedness*, as it has been called, is not confined to us. Let an European traveller arrive in England, and, after running over the country, describe the peculiar traits of its society, as they appear to him, and what a storm is conjured up, from Johnny Groat's House to the Land's End, to overwhelm the luckless wight! Who has forgotten Puckler Muskau and the Baron d' Haussez, and the indignant excitement of the English press when their works appeared? And yet we have stronger reasons to redeem our national character from these petty but provoking misrepresentations than England; for we are young, less known, and—owing to the extent of our country, and to the progress and diversity of our settlements, and to other well known causes—with a general distinctive character less clearly developed. Individual eccentricities and local peculiarities abound in our country; precisely because the great freedom of our institutions, as well social as political, leaves the human mind more free from restraint than among other people, and prone to run wild, if I may so say, in its own luxuriance. He who seeks to deduce national features from individual traits may find ample room for the exercise of his spirit of generalization in the United States. But it requires more intellectual power than has fallen to the class of English travellers who have made our country the theatre of

Digitized by Google

their excursions, and the subject of their books, to appreciate those profound changes which the new world, with its two centuries of discovery, of conquest and of settlement, and with all the moral accompaniments which have attended and followed these great efforts, has produced upon the descendants of the English Puritans, who sought civil and religious liberty upon its shores. And these travelling bookmakers come among us, bringing with them a scale of civilization founded upon some conventional observances at home, perhaps as peculiar as they are narrow; and by this the claims of another people to their true rank in general estimation are to be judged. This measure of our moral stature may be termed the chop-stick or silver-fork standard, as it is employed by a Chinese or an English observer —the former really considering as a barbarian every one who does not eat with his national instrument; and the latter affecting an equal contempt for all who have the misfortune to substitute a steel fork for a silver one—including ninety-nine out of a hundred of his own countrymen, and probably, if the truth were told, himself also. That the fashion of this world passeth away is early impressed upon every reflecting mind. But I do not know a better proof of the truth of this remark, connected with the present subject, than is furnished by the revolution in the history of tooth-picks. Lord Chesterfield was the *arbiter elegantiarum* of his day, and his book was long the code of fashionable ethics. During the sway of this legislator, the picking of the teeth at table was the unpardonable sin in the *haut ton*, the one great offence which excited the liveliest indignation of the modern Minos, and against which he launched his heaviest denunciations. But how are the mighty fallen—or rather how are the fallen raised up! The little reviled and denounced instrument now makes its appearance at all tables, being as regularly placed beside the plate of each guest, as the knife, fork, and spoon,—aye! and as regularly used too!

The Americans use steel forks, and knives also, and therefore have no claim to be civilized. What miserable affectation all this is. Who has not seen the knife used sometimes in the best company in Europe? For myself, when put upon my *gentility*, I can manage to tear my meat with a fork and to convey it to my mouth, calling in the aid of a little piece of bread, scarcely sufficient to preserve my fingers from the plate. But I have found the old process a very comfortable one, and I have ate many a meal in the woods without a fork, and never a more pleasant one than when cutting a piece of venison rib from the stake, upon which I had watched it and roasted it before the fire.

When I first arrived in Europe, I was so forcibly struck with the many *outlandish* things I saw and heard, that I commenced a kind of common-place book, in which I entered the most prominent of these aberrations from the true standard of civilization, as the code is taught by the English travellers who visit the United States. I entitled my collection of curiosities, "Trollopiana, or things I have seen

Digitized by Google

in Europe, to be appended to the next edition of Trollope, Hall, Hamilton, *et id genus omne.*" The task, however, was not to my taste, and I soon abandoned it. But I will give you a specimen of the nature of these collections and recollections, to show how easily national recriminations may be found for national criminations; and how fallacious and unjust must be any general deduction of the character of a great people from facts which form the exceptions, and not the rules, of their life and conversation. A Hannibalian warfare may be a good system of tactics in contests for national power, but in the adjustment of these moral differences, the cause of truth is not promoted by pursuing a course of operations with respect to another, which you accuse of injustice when applied to yourself. My object is to prove the palpable *iniquity* of our traducers, by showing the bearing of the principles they have adopted when applied to their own country—a country whose moral standard is high in the estimation of the world, and to which we can look with pride as the birth-place of our ancestors; and a country too with which we have many associations to bind us in lasting friendship.

Now to my *argumenta ad homines.* I will tell what I have seen, read, and heard.

I saw the Doorkeeper of the House of Lords on the 21st of June, 1838, in a state of intoxication upon his post, and exhibiting a disgusting spectacle to every observer.

I have seen the Members of the House of Commons guilty of that *most abominable of all vices*, and heretofore described as a peculiarly American one, sitting with their feet raised and resting on the benches before them.

I saw the passengers on board an English steamboat from London to Antwerp, called the "City of Hamburg," on 1st July, 1838, being almost all English, seat themselves at table, without being called, and take possession of almost all the places, there awaiting the dinner; and I saw three or four Americans help some of the ladies to seats, while many others were compelled to wait for a second table.

I have seen the published report of a trial in which—

The Premier Baron of England, Lord de Roos, was convicted of cheating at cards, and one of the witnesses, a gentleman of high family, avowed, that he examined the cards and found them marked, and afterwards played with De Roos and visited him; and that he (the witness) made card-playing his principal occupation.

And another witness, a Commander in the Navy, acknowledged he had gained £10,000 by play, and another, an officer in the Army, that he had played with De Roos after the cheating.

And another, a Baronet, who, though he had seen De Roos cheat four years before, was unwilling to mention it, because De Roos was popular and a favorite with the Club—"and then he was a Peer, too!"

Digitized by Google

And another, Lord Bentinck, who confessed he played with De Roos, after he knew he cheated.

And another, George Payne, who played with him and betted *on* him.

I have seen, that an impostor calling himself Sir William Courtenay, pretended to divine inspiration, and that he selected for the theatre of his performances the Archiepiscopal See of the Primate of all England. And this man, claiming to be the Saviour of the world, collected round him many disciples, and finally, resisting the civil authority, perished, with many of his followers and opponents in the effort to establish his power. And crowds of people flocked to see him after his death, and large sums of money were given for locks of his hair, and for his clothes, and for rags dipped in his blood.

I have seen an English Marquis, Waterford, engaged in a disgraceful contest with Norwegian police officers, and rendering himself contemptible for what we should call blackguard breaches of the peace wherever he went.

I have seen an Earl, Roscommon, fined for being drunk and unable to take care of himself in the street.

I have seen a Marquis, Huntly, declared a bankrupt.

I have seen a Member of the House of Common accuse the Committee of Elections of perjury. And I have seen a distinguished Review, the Edinburgh, fortify the accusation, by asking, what would be thought if Committees of Congress were stained with a hundredth part of the suspicions under which the Election Committees of the House of Commons labor?

I have seen the following speech of Mr. Bradshaw, a Member of Parliament, at a public dinner: "I hope Sir Robert Peel and the Duke of Wellington will purge the Court of the filth which offends the nostrils of all but those whose sense is so vitiated that they do not know vice from virtue, or purity from impurity. Innocence is confounded with guilt. Virgin innocence is banished from the Palace, while vice riots rampant at the royal board."

I have read a paragraph in a speech of a Member of the House of Commons, which charged the Duke of Wellington and Sir Robert Peel with being anxious to place their friends about the Queen for the purpose of compassing her death.

I have read—and who has not?—the history of the affair of Lady Flora Hastings. If such an event, with its accompanying incidents, had happened in the mansion of the President of the United States, it would have furnished a mass amply sufficient to glut even twenty Trollopes.

I have seen the attacks, growing out of this affair, contained in the English journals, charging and retorting, against the greatest names of England—not the usual ebullitions of party and political rancor, but imputations upon moral character, and allegations of the violation of

Digitized by Google

the decencies of life—and these distinctly specified, in the face of the country and the world, in terms which I shall not presume to repeat to your readers. Among these names were those of the Duke of Wellington, Lord Melbourne, Lord Lyndhurst, the Marquis of Headfort, Lord Ellenborough, Lord Palmerston, and others which have escaped my recollection, and which I have no disposition to seek and record.

The Journal des Débats, in quite a recent number, that of January 18th, 1840, which has appeared since the above was written, has come out with a full exposition of this extraordinary warfare, for the benefit of the Continental scandal-mongers, and has added to it some remarks not devoid of interest, which I shall here insert.

After a full account of the publications upon this subject, the Journal des Débats then proceeds: "The discussion is continued for some time in the same tone. We have seen the moment when the Standard was about to demand a jury of matrons. Truly we begin to believe, that the iron window shutters of Apsley House* have not been placed there as a protection against the insults of the populace, but rather as a sort of discreet leaf, destined to mask the statue,† not very bashful, which the fair daughters of Albion have elevated to their Achilles opposite to his house, and which they have inhumanely exposed to all the rigors of the weather of Hyde Park. Alas! the warrior, who is honored by all England, after so many campaigns in all parts of the world, after so many palms gathered under all suns, after so many crowns received upon his white head, could he have expected, at the end of a career, so well tried and well filled, to see added to all these palms and to all these laurels, a last crown of orange flowers?

"No one will attribute to us the wish of making ourselves the echo of any scandalous chronicle.—[?] If we have recorded here some sketches of a discussion which has appeared to us curious in several points of view, it is in order to show how far, in a country where we love to take lessons of political conduct, minds badly organized can carry the abuses of parliamentary fictions,‡ and to what forgetfulness of all dignity and of all propriety the spirit of party can lead men whose social position and education render their errors but the more inexcusable."

I have seen the following *beauties* of the English periodical press:

The Times. "O'Connell, an ungrateful hypocrite, has been making a rabid howl.... A miscreant, the worthless, bastard progeny of the Dublin newspapers."

* The residence of the Duke of Wellington, which is provided with iron window-shutters.

† The bronze statue erected in Hyde Park in honor of the Duke of Wellington, is, as is well known, *in puris naturalibus*.

‡ Allusion is here made to a branch of the discussion which has been omitted

Digitized by Google

The Herald—"Impertinent coxcombry of Lord Melbourne's letters."

The Standard—"The most shabby of all shabby administrations.... We find the Whigs uniformly tricky and shabby."

The Times, speaking of the administration, says:—"We do not believe the Demon they still have served can save them."

The Courier—"Is there anything to which Lord Melbourne will not sink for money?"

The Standard—"We may observe that in less than a week after this declaration was made, Lord Melbourne, either had run away from his post, is told a —— falsehood. The latter he will think the lighter transgression."...."To the callousness to the charges we may now add telling a ——."

The Globe, speaking of barefaced calumnies in the Standard, says: "The scoundrels who put forth such insinuations," &c.

The Standard, speaking of the resignation of the Marquis of Conyngham, says:—"After what has occurred in the royal household, it can be much more easily understood, why a gentleman should withdraw from it, than why he should remain in it."

The Post, speaking of Lord Melbourne, says:—"The man who could write this letter deserves to be spit upon by every mother's son in the three kingdoms."

The Standard, speaking of a despatch of the French Consul at Alexandria, says:—"One needs not know much of the forms of diplomacy to be convinced that this is a *lie*."

The Times, says that—"the British diplomatic agents at Constantinople were guilty of sneaking intrigue, gross ineptitude, unmatched stupidity."

The Morning Chronicle—"To environ royalty with falsehood, and to infuse into it her very soul, is the aim of Toryism."

The Chronicle—"The Quarterly comes out with an elaborate article to prove the Queen is a liar."

The Chronicle—"That the Times has a conscience, who will deny, that knows how often it has sold it?.... Whether it plays the canting hypocrite, or the course blackguard," &c.

The Waterford Chronicle—"This is only one of the enormous lies of our sanctimonious contemporary."...."There are not such liars in the world as some of these high church Tory organs."

Chronicle—"The bitter and shameless falsehood of the Tory journals."

Times—"The lying Premier and his Home Secretary."

Times—"The Cabinet.... the sordid and selfish slaves of the great patron and protector of the worthless Whigs."

Times—"The Whigs are irrevocably spavined, glandered, broken-winded, and doomed to slaughter."

Digitized by Google

Times—"We denounced last week nothing better than a profligate, impudent, rancorous Downing street lie."

Times—"Atrocious public robbery," by the ministry.

Times—"He cannot, in so few years, have become so profligate an old fool, as to invent or retail, for the amusement of the court and royal family, such a lie."

Times—"It indulges in a mean, lying, sneaking, slanderous, piece of slipshod."

The Morning Chronicle, quoting from a country paper—"Her Majesty employs her time in amorous dalliance with a papist."

The Post, speaking of Mr. Hume—"Joseph the swine-headed, the silliest and shallowest and most conceited of men."

With one exception, these are metropolitan journals, published in the capital of England. The Times, as it will be seen, is prominent in the scurrility of its language, and yet this paper, which ought to be spurned by every man of just principles and correct taste, has perhaps a greater circulation than any other journal in England. Such a fact is of bad augury for the age and the country.

It is obvious in perusing the extracts I have given from the French *acte* of accusation above referred to, and which exhibits the creed of the persons engaged in efforts to overturn the government, that the object is not at all confined to a change of political institutions, to the substitution of a republic for a monarchy; but that it extends to the fundamental basis of society, seeking the destruction of private rights, and of all the barriers which defend property and order. Undoubtedly in these crowded regions of the old world there is much misery, and the comforts of life are very unequally distributed. He who depends for existence upon public charity, or he who, by constant labor and continual privations, barely supports life without becoming a mendicant, may be easily taught to look upon the principles to which he attributes all these evils, as equally unjust in their foundation, and oppressive in their operation. Where there is much physical suffering, there are the elements of discontent, and the material of revolutions. The history of the flight of David, and of the rebellion of his son Absalom, teaches us how easily, by artful representations, the unfortunate young man "stole the hearts of the men of Israel;" and this lesson has been repeated in succeeding ages till it is "familiar in our mouths as household words." And the address of Catiline to his fellow conspirators, as recorded by Sallust, sufficiently evinces the knowledge which that Roman *prolétaire* had of the springs of action that may be easily put in motion when misery oppresses any considerable portion of the population. "*At nobis est domi inopia, foris alienum; mala res, spes multo asperior; denique quid reliqui habemus, præter miseram animam?*" There is no problem in human society fraught with more important consequences, than that which seeks to combine the happiness of the greatest number with the necessary

Digitized by Google

principles of public order and private rights. Visionary men, feeling right, but thinking wrong, may declare war against the existing institutions of society, and talk about the evils and selfishness of riches, and the justice of an equal partition of all the products of industry. And Utopian politicians may dream of some far-off regions where there is neither wealth nor poverty, where each labors for one and for all, and where self is lost in indiscriminate benevolence. But such regions must be sought on another globe than this. If the curse of labor, the first fruit of disobedience, descended upon mankind, it was accompanied by the stimulus of necessity and by the passion of acquisition. Without this *selfish hope*, and without the barriers which fence round whatever can minister to it, what would become of the nations of the world? Who would labor from the morning of life till its close, with hand or head, and toil in any of the innumerable spheres of action, which in their *ensemble* constitute the aggregate of society, if the reward he hopes to find in the product of his industry may be wrested from him by the first lawless invader who choses to appropriate to himself what he pleases? And between the unlimited power of acquisition and enjoyment, and the indiscriminate abandonment of all to all, human ingenuity has yet found no practical medium.

In our country, general comfort is compatible with all the security which is necessary for the reward of labor, and for its stimulus. Every man—and the vast importance of the truth will justify its repetition—every man, by industry and probity, may hope to gain the means of comfortable subsistence, and to accumulate something for the decline of life. We owe this fortunate state of things, partly to the perfect freedom and equality of our political institutions, partly to the happy condition of our society, and partly to the advantages resulting from the situation of our country, connected with its capacity for the almost indefinite extension and comfortable support of the population.*

But in Europe, this last great element of public happiness is beyond the reach of the governments, and it is therefore the more necessary that they should use all the means within their power to improve the condition of the poorer classes of society, to extend the advantages of education to all, to diminish the public expenses, to put a stop to oppressions, and to introduce the most impartial equality before the law, and into the public employments. In this way, and in this alone, can the political effervescence which is everywhere visible

* The qualification with which this general language of gratulation, at the fortunate condition of the laboring population of the United States, must be taken—arising from the depressing effect of our great and frequent fluctuations in the currency, with all the manifold moral and economical evil of which that fatal cause is the necessary and fruitful source—will readily present itself to the apprehension of the reader acquainted with the true state of the facts, and with the true principles applicable to the subject.—Ed. D. R.

Digitized by Google

in Europe be safely guided, when it cannot be wholly controlled. There is a forward movement in opinion, which can neither be misunderstood, nor put down. It has produced great changes, and will produce still greater. Its operation is a question of time only, but the extent and intensity of that operation depend essentially upon the wisdom and justice of the governments, and upon the forbearance of the people. Happy will it be for both, if the changes demanded by the present state of society, and called for by the thinking class of the community, are made in time to prevent revolutions, instead of being the consequences of them.

These general remarks are applicable in a much smaller degree to France and England, than to any other European countries. Both enjoy constitutional governments, and in both the great essential principles of public and private freedom are established beyond the reach of destruction. In both, also, meliorations are demanded, and I have no doubt will be gradually introduced. But after all the changes that can be reasonably expected, if the American who has visited either does not return to his own free land a better patriot, and a more contented citizen, and with devout thanks to Providence that his lot has been cast in a happy place, he has shut his eyes to the light of truth, and his ears to the counsels of experience. However, as I abjure political propagandism, and am willing that every people should not only enjoy such a form of government as they please, but should be permitted to believe their own far better than any other that is, or has been, or will be, or can be—I shall forbear any farther political disquisitions.

But as I have had the luck to be in a Parisian *émeute*, and as the facts which passed under my observation serve to show the character of the events which took place, a glance at them may not be unacceptable to your readers.

I did not wish that an *émeute* should occur at Paris, while I dwelt there, in order that I might see it; but I was determined, if it did occur, that I would see it, if possible. Accordingly, during the movements in May, I sallied out, not to mingle in adventures, but to witness them; and after threading many a dirty street and alley, I reached a crowded part of the city, south of the Boulevards between the streets St. Martin and St. Denis, where all the communications are narrow and crooked. At the intersection of four of these streets, I found a party of men busily engaged, some in breaking the lanthorns, and others in building a barricade to stop the troops, from materials furnished by a house which appeared to have been recently demolished. There was an immense crowd looking on, but the persons actually engaged in the work did not exceed forty, all of whom were dressed in that garment peculiar to the Paris workmen, called a *blouse*, and which resembles the hunting shirt I have often worn in the West, and which I suppose yet retains its place in some parts of that vast region,

Digitized by Google

though perhaps, like the buffalo in whose company I have worn it, it has crossed the Mississippi, and may be now accompanying the hunter and the pioneer towards the Rocky Mountains.

Seeing these men thus busily engaged, I inquired of some respectable looking individuals, what their objects were; but was told, with much decision and apparent frankness, that they were as ignorant of the matter as I was. It was obvious, from occasional signs and movements, that some associates of the party were placed in the various streets to give notice of the approach of any military body which might receive information of the illegal operations in progress. After some time the immense crowd seemed alarmed, and dispersed themselves in all the neighboring alleys, as fast as the impediments occasioned by their own numbers would permit. I then saw a detachment of regular soldiers approaching the barricade, and when they got near, the commanding officer formed his men across the principal street along which the fugitives were fleeing. I did not suppose it required much courage to remain, for I was sure a single unarmed man would not be fired upon; and I felt satisfied that my character as a stranger would protect me from violence. I could not, indeed, "hang out the banner on the outer wall," as Mr. Poinsett did, with such decision of mind and firmness of purpose, when his residence was attacked and his person threatened in Mexico. I have always considered the conduct of our distinguished countryman upon that occasion, as furnishing one of the happiest illustrations of the effect of decision and courage upon a mass of excited men, freed from legal restraint; which is to be found in the whole history of popular movements. It is almost the personification of Virgil's beautiful allusion to the appearance of the *virum gravem meritis*, who presents himself to the enraged crowd, and stills the tumult of their passions. With one change, rendered necessary by the circumstances, which called for action, not for words, we may adopt the last line of this highly wrought simile, and say of our countryman, what the Roman poet said of his—"*Ille regit dictis animos et pectora mulcet.*" Human life affords no prouder moment, than that when the Minister threw out his country's flag, and when he and his little suite, while watching its stars and stripes as they unfolded themselves, beheld the effect which this appeal—this *visible* declaration, "*sum civis Americanus*,"—produced in the capital of Montezuma, and upon an ignorant, infuriated multitude. Our sister republic was spared the commission of a crime which would have drawn upon her the execration of the civilized world.

I had no such part to play, and most assuredly, if I had had, I could not have played it so nobly. I was a spectator only, and as such watched the proceedings before me. The officer waved his hand to the people who, from the windows of the neighboring houses, were regarding the proceedings, intimating to them to withdraw from the approaching danger. He then directed his command to take aim, and

Digitized by Google

the guns were brought to bear upon the flying crowd. At this moment I stepped up to the officer, and told him, I had been a spectator of the whole occurrences in that quarter for some time, and that the people upon whom he was about to fire were persons who, like me, had not been engaged in the mischief, but had been led by curiosity to watch its progress. I added, that those who were really guilty had escaped by the lateral alleys, having been warned in time of his approach by their spies. The officer appeared to be a discreet man, and opposed to unnecessary severity. He directed his men to bring their arms to a shoulder, but many of them hesitated, and I saw him strike their pieces with his sword, before they were withdrawn from the position for firing. I had thus the evidence of my own eyes, that the assertions respecting the infidelity of the military, and their indisposition to support the government in a moment of extreme peril, were false. They were anxious to act, and to act efficiently.

The King, Louis Philippe, is now about sixty-six years of age. His constitution, however, is vigorous, and there are no marks of declining years about him. His frame is large, but there is much ease in his movements, and his whole carriage is marked by that happy address which good taste, and the polished society where he has moved, have enabled him to acquire. His countenance is striking and expressive, and displays the possession of great intellectual power. He belongs to that small class of men, the individuals composing which you cannot meet in a crowd, or pass in the street, without turning round to regard them, and involuntarily asking yourself, who they are. All the engravings representing him give a likeness more or less just, because his is one of those faces which the painter cannot well mistake. He speaks and writes English, as fluently as any Englishman or American; and I understand he possesses as familiar a knowledge of most of the modern languages. He is very ready in conversation, and displays great tact and judgment in his observations. His education was most complete and careful, and superintended by the celebrated Madame de Genlis. It is said to have been eminently usely and practical, and he was thus fortunately the better prepared for those adverse circumstances with which his early life was chequered. In his domestic relations he is eminently happy; and as a husband, brother, and father, he is without reproach. In the execution of his public duties, he is said to be prompt and attentive; and in illustration of his conscientious application to his functions, I will mention an anecdote, upon the truth of which you can depend. Mr. Stevenson, our Minister in England, had heard a report, coming from a distinguished French statesman, that in all questions affecting the life of a man the King was exceedingly scrupulous, and made a point of examining the papers with remarkable fidelity. Some extraordinary occurrence called this gentleman to the palace at a late hour in the night—as

Digitized by Google

late, indeed, I think, as two o'clock—when he found the King in his cabinet, examining, with his usual caution, the case of a man condemned to execution. Mr. Stevenson, in the course of conversation with the King, alluded to this circumstance, and found the statement substantially correct. He ascertained afterwards, and from another quarter, that the King keeps a register, in which is recorded the name of every person condemned to a capital punishment, together with the decision, and the reasons which lead to the confirmation of the sentence, or to its remission. In the still hours of the night, the King performs the painful task of investigating these cases, with the just sentiments of a man upon whom weighs the responsibility of the question of the life or death of a fellow-creature. And he records, himself, the circumstances which influence his decision. It is a noble example, and one which ought to be followed by all magistrates, monarchical or republican, called to fulfil this painful duty.

It is difficult for an American to form a correct notion of the labor which devolves upon a King of France. With us, the political tendency is to subdivide power, and to send it, as much as possible, to be executed in the various localities which its exercise concerns. But here a contrary tendency manifests itself; and a principle of centralization pervades the system of government, which, while it adds strength to the general administration, greatly augments the royal duties. In our country such a course of procedure would be intolerable were it practicable, and impracticable were it tolerable. How far the extent to which it is carried in France is expedient, I do not suffer myself to pronounce. Recollect, that the kingdom contains twice as many inhabitants as the United States, and that here there is one legislature and one chief magistrate to execute the duties which are performed in our country by thirty legislatures and thirty chief magistrates, as well Federal, as State and Territorial; and that, besides these duties, common to both nations, there is a great variety of others, which in France are reserved to the government, while with us they depend upon municipal or local authorities. And in addition to this marked difference of political organization, there is a great number of acts whose direction and control are within the sphere of public power in this country, which in ours are altogether free, and without the domain of legal or administrative regulation. It would surprise, and perhaps amaze, your readers, had I time to give even a *catalogue raisonnée* of those restraints upon what we consider national liberty; but as I cannot do this, I will transcribe from the *Moniteur* of yesterday, December 23d, 1839, a few extracts from royal ordinances signed by the King, which will furnish a general notion of the extent of the Executive duties in France:

"*Are authorized*—Le Sieur George to keep in operation his flour mill upon the river Blaisé, commune de Sainte Liviere.

Digitized by Google

"Le Sieur Mathelin to convert into a flour mill his plaister mill upon the rivulet de Tanlay.

"Le Sieur Boisset to add to the forge du Maillet, he owns upon the river de Loire, &c., a furnace to melt iron ore, a hand washing place for the preparation of the mineral, and a pounding mill for the dross.

"Les Sieurs Pillion, Destombs, and their associates, to transfer to the commune of Mauberge the iron manufactury, they were authorized, by the ordinance of Dec. 12th, 1837, to establish in the commune of Saint-Rémy-Mal-Bati. This last ordinance is repealed.

"Les Sieurs Dupont and Dreyfus, to construct a second furnace near that, which they possess in the commune of Apremont."

Then follows an order for the classification of various roads, as royal roads or as departmental; to which succeeds an authority to build a bridge on the Gardon and other streams; and then comes the establishment of the lines (alignements) of various roads in different parts of the kingdom.

How many ordinances these various dispositions required I do not know—the Moniteur enumerating the whole in one article, as the result of the ordinances signed by the King in the month of November upon the report of the Minister of Public Works. If there were one ordinance for each act of authority, then sixty-five of these high Executive warrants must have been issued, giving the sanction of the Chief of the State to acts which with us belong to individual discretion, or which depend, for their legalization, upon the local magistrates.

But I pass from these grave topics, to others of a lighter character—to the ceremonials of the Court of France, which are much simpler, and more to the taste of an American, than those of any other Court of Europe. The usages which formerly held sway there, and which came down from the feudal times, have given place to observances more in conformity with the feelings of the age, and which are yet quite sufficient to preserve the dignity of the personages who, in monarchical governments, are environed, from public considerations, with peculiar privileges, and with *prestiges* intended to produce a moral effect upon a people essentially different from ours in their estimate of these external observances. The advancing tide of opinion is making sad havoc among the old entrenchments of dignity in Europe—offices with titles quaint, pompous, or ridiculous, which, while they really degrade, instead of elevating, those who bear them, reflect dishonor upon the country where they are suffered to exist; evidences and relics of a barbarous age, "formed," as Mr. Burke said, "upon manners and customs that have long since expired." This great English reformer sixty years ago commenced an attack upon "these useless pieces of antiquity;" but his effort, as it preceded the spirit of the age, failed before the influence of the times; and

Digitized by Google

though he partially succeeded, some two or three years later, yet, as he wittily observed, at the conclusion of an appropriate anecdote he told, he got so little, that he resembled the suitor who, being rejected by a widow, was driven to accept an old wig of her deceased husband, instead of the fair hand he sought. In his remarkable speech upon that occasion, he said, in the British House of Commons, that "Kings are naturally lovers of low company;" and to exclude such associations from the palace, and to bring to it a worthier class, he was prepared to retain much that he would otherwise have abolished; for, added he, "though these persons are not much better for a Court, a Court will be much for them." If the well known imagination and vivid style of the orator and rhetorician did not give to this description of regal manners a coloring which the strict reality did not justify, the Court of George the Third, if that was his prototype, was far inferior to the Court of Louis Philippe in just elevation; for the latter is beyond all reproach, in true dignity, in moral worth, and in the strict observance of all the courtesies and proprieties of life. In its internal economy, menial offices are executed by servants, and the dignity of the recipient is not permitted to change the character of the service, and to exalt the station of him who renders it. There are military officers, of distinguished reputation, among whom any man may be proud to find a friend, who are aide-de-camps and orderly officers, and who are in daily attendance to fulfil the various functions of duty and civility which devolve upon them. And there are also ladies, of equal worth, attached to the Court, who are always found with the Queen and Princesses. But these have no antique, uncouth titles, nor is there any invidious duty or distinction connected with them, or the military gentlemen, which could offend the most scrupulous self-esteem.

Nothing has more painfully affected me, in the whole civil hierarchy of England, than the tenacious retention of these barbarous offices, menial in title as in fact, about the Court, and the avidity with which they are sought. Among the signs of the times, this is, in my opinion, one of the most inauspicious; tending to degrade the class of society whose independence and true pride of character are thus sacrificed, and—though this effect cannot of course be any subject of regret to a republican observer—co-operating powerfully with other causes, to shake the edifice of British Aristocracy.

Mr. Burke said, very pungently, that "it is not proper that great noblemen should be keepers of dogs, though they were the King's dogs." But so does not think Lord Kinnaird; for a London paper of the last week says: "Lord Kinnaird, the new master of her Majesty's buck hounds, has just taken for four months Col. Cavendish's mansion at St. Leonard's, within about ten miles of Windsor, for the purpose of being within the immediate neighborhood of the place of his official duties." His "official duties," indeed! A peer of Eng-

Digitized by Google

land, a hereditary legislator, a hereditary Judge of the Court of the last resort, *a keeper of the Queen's dogs!*—Nor is this an extreme, nor even a very strong instance, of the disgraceful absurdity here alluded to.

A most instructive, as well as amusing, chapter might be written upon the history of these Court ceremonials, existing and extinct, which have heretofore controlled, in a greater or less degree, the destinies of nations. I have been told by one who spoke from his personal recollection, that when the unfortunate Marie Antoinette entered the French Court, she manifested a mixed feeling of dislike and contempt for the rigid etiquette which prevailed there; and sought, in the gayety of her heart, to withdraw herself from its observance. He considered this *disenchantment* as the first in her long series of misfortunes, and as the commencement of that system of obloquy, which pursued her with relentless fury, till it laid her head upon the scaffold. I can well appreciate her feelings in desiring to "*walk abroad into nature*" out of the artificial atmosphere in which she lived. But I must confess, that I surveyed with surprise one place associated by tradition with her name, and which assuredly I should have thought presented the last scene a young, beautiful, and accomplished woman would desire to visit. This was a stone bench in the catacombs under the city of Paris, which our guide told us had been constructed for the temporary repose of the Queen and the gay and gallant Count d'Artois, when examining that impressive repository of the mortal remains of many generations which have died in this great city. You know these immense excavations extend under a considerable part of the capital, and that they have no doubt furnished its building materials, since the earliest times. They are no longer worked, because the streets and many of the houses having been undermined, the surface of the ground as well as buildings occasionally fell in, and the government felt it necessary to check the farther progress of the evil. Pillars have been constructed in the most exposed situations, and as it is some time since I have heard of any accidents, I presume there are no farther apprehensions. The entrance is secured, and admittance is obtained with some difficulty; for in Europe the public authorities are more careful of life than we are, and persons having been separated from the guides have become lost and perished in this vast field of the dead. What end can be more frightful! To wander in this immense charnel-house, surrounded by the most revolting emblems of mortality, to perish in the midst of departed generations, is terrible indeed. The bones are all arranged with horrible symmetry. Pillar after pillar, and wall after wall, of arms and legs and ribs, hedge in the visiter, and form a narrow path, along which he follows the guide in impressive silence. And as the torches which are carried, and which alone light up these

Digitized by Google

regions impenetrable to day, shed their feeble and flickering rays upon these sad memorials of humanity, the scene is painful beyond description. And then come the columns of sculls, and you may almost fancy, as the fitful light strikes them, that they are grinning upon you with diabolical malice. The whole cavern resembles the Valley of the Shadow of Death, so powerfully described by the prophet, rendered still more strange by the display of a kind of taste in the arrangement of the materials.

I breathed freer when the portal of this great tomb closed behind me.

In one of Victor Hugo's plays, Ruy Blas, these antiquated Court ceremonials are most happily hit off; and the effort is so good, that I am tempted to transcribe a passage. The scene is in Spain, where such a scene ought to lie, for we are told that one of its Kings was almost burnt to death, because the established usage prohibited his removal from a large fire without the aid of the proper officer.

The Queen. "I wish to go out."

The Duchess of Alberquerque, making a profound salutation. "When the Queen goes out, each door must be opened by a Grandee of Spain, having a right to carry a key. Such is the rule. But no Grandee can be present at the palace at this hour."

The Queen. "Then I am shut up. I am to be killed."

The Duchess, with another reverence. "I am Camerara Mayor. I fulfil the duties of my office."

The Queen, after a moment of silence. "Quick, my ladies, bring cards, and let us play."

The Duchess, to the ladies. "Don't move, ladies." Then rising and making a reverence to the Queen, she adds: "Her Majesty cannot play, according to the established ceremonial, except with Kings, or the relations of Kings."

The Queen, in a passion. "Well, bring these relations."

The Duchess, making the sign of the cross. "God has not given any to the reigning King. The Queen Mother is dead, and he is alone at present."

The Queen. "Let them serve me something to eat. Casilda, I invite you to eat with me."

The Duchess, making a reverence. "When the King is not present, the Queen eats alone."

The Queen, losing all patience. "Oh my God, what shall I do! I can't go out, nor play, nor eat as I would. One year as a Queen is enough to kill me."

A song is heard, outside the palace.

The Queen, to Casilda. "The wood is not thick here—this window looks out on the country—let us try to see the singers."

The Duchess, making a reverence, "A Queen of Spain ought not to look out of the window."

Digitized by Google

But the imagination of the author has not equalled the record of history. In the absurdity of these observances, "truth is strange, stranger than fiction." When Marie Antoinette arrived on the frontiers of France, to espouse the Dauphin, she was divested of all her clothes, in a tent pitched for that purpose, and then habited in a French suit. Even Napoleon was led away by his penchant for these trifles to re-establish their observance at his Court; and it is well known that at the coronation of the Empress there was quite a family scene, because he insisted that her train should be borne by his crowned sisters.

Under the ancient *régime*, the right to have both folding-doors thrown open, or to sit upon a *tabouret*, which is a cushioned stool, was one of the greatest honors a subject could aspire to, and excited more sensation than many a political event affecting the prosperity of the kingdom. On particular days the King dined in public, when the principal personages of the Court and the kingdom were seen standing at his chair, holding plates and towels under their arms and in their hands.

Burke says that one of his predecessors in reform, Lord Talbot, failed in his efforts, because "the turnspit in the King's kitchen was a Member of Parliament." I do not know if the importance of this office has diminished since that day, but as I find, that even in the Red Book for 1840, the *Chief Cook*, the *First Master Cook*, the *Second Master Cook*, and the *Third Master Cook*, are all designated as *Esquires*, I may presume it is yet considered sufficiently honorable for a Member of Parliament to turn the King's spit. In Scotland, Sir W. Anstruther, a Baronet, is hereditary carver, having the right, standing at a side table, to cut up the meats; and Sir James Carnegie is hereditary cup-bearer, to wait upon the King when he desires to drink. I find one appointment in the Red Book which I trust, during the reign of a Queen, and for the sake of conjugal happiness, will be a sinecure, that of *leather breeches maker* to her Majesty!

England may well afford to sweep away what Mr. Burke called these "incumbrances and nuisances," which are as offensive to true taste as they are incompatible with true dignity. She has justly earned for herself so proud a name in the world, that her institutions need no false tinsel to set them off, nor her high personages any barbarous and antique offices, to shelter them from general observance, or to give them a factitious elevation. The period of mystification is passing away.

When there is a public presentation at the Tuilleries, the various strangers, belonging to different nations who desire to be present, make known their wishes to their proper Minister, who communicates them to the Minister of Foreign Affairs, and from whom, or from the Introducer of Ambassadors, an answer is given, authorizing their reception,

Digitized by Google

and indicating the proper day and hour. When this time arrives, these persons repair to the palace, and are introduced into a suite of apartments, commencing at what is called the throne room, and extending along the front of this immense building. The visiters are arranged in one line, passing down one side of the apartments and up the other. Their position depends upon the rank and seniority of the representative of their country. The Ambassadors are nearest the point where the King approaches; and then follow, the Ministers Plenipotentiary, the Ministers Resident, and the Chargés, each in the the order of time when he was accredited at the Court. This sensible arrangement, which everywhere prevails at present, in diplomatic precedence, was adopted by the Congress of Vienna, and has terminated all those ridiculous disputes about rank which heretofore occupied such a space in the history of national intercommunication. The King and all his family enter the public rooms together, and the King commences his attention to the circle by a few moment's conversation with the oldest Ambassador present. This Ambassador then passes along the line, with the King, presenting in succession each of his countrymen, and stops when he arrives at the end of his charge. Here the King salutes him, which he returns, and then the same ceremony takes place with the next diplomatic agent and so on, in succession, till the circle is completed. The name of each person is mentioned to the King, and he addresses him a few questions, generally having relation to his own conntry or to his visit to France. In a ceremonial like this, it is pretty difficult to exhibit much variety in the questions, but I have been told by those who have accompanied the King, that he displays great tact upon these occasions. After the King has proceeded some distance down the line, the Queen commences the same ceremony, and she is followed by the Duke of Orleans, the Duchess of Orleans, the Princess Adelaide, the King's sister, and the Duke of Nemours. The other sons of the family, when present, remain at the head of the apartment, and the Princess Clémentine, the youngest daughter, a young lady with much beauty and accomplishment, and it is said with great intelligence, generally makes the tour of the circle, leaning upon the arm of her mother or her aunt. Such is the ceremonial of presentation of gentlemen at the French Court. An application of the same kind is made in favor of ladies who desire to be presented, but this goes to the proper Lady of Honor, and from her reaches the Queen. For ladies there are but two presentations in the year, generally in the first week of January. The ceremonies are so nearly similar to the description already given, that any additional details are unnecessary.

There is no limitation of numbers, and I understand our Minister has asked for the presentation of fifty of his countrymen in one night; and I have farther learned, that no application of an American for

Digitized by Google

presentation has been refused during the residence of the present Minister in France. The January presentation is succeeded by one or more splendid court balls. On ordinary occasions the French royal family assemble, after dinner, in an evening saloon, where the Queen and Princesses are seated, with the ladies of the Court, around a table, generally engaged in needle work, requiring little attention, and which, when finished, is sent to be sold at some fair, opened for the purpose of raising money for charitable objects. The Diplomatic Corps, and persons entitled by their position to the *entrée*, as it is called—that is, who are expected to pay their respects to the royal family in the evening—present themselves occasionally, and the ladies are invited to take seats round the table, where the Queen and her sister, Madame Adelaide, and the Duchess of Orleans, when present, receive them with great kindness and affability.

The gentlemen, after saluting the Queen and her circle, are generally addressed by the King and by the Duke of Orleans, upon such topics of conversation as may naturally arise from the circumstances. There is in these family receptions, if I may so call them, a manifest desire on the part of the distinguished hosts to make the position of the persons, whether natives or foreigners, who present themselves there, as free from restraint, as is compatible, perhaps, with the social distinctions necessarily incident to a monarchical government. Certainly there is no other Court in Europe, where an access like this is permitted, and where the interior of royal life is thus thrown open to public gaze. But the dynasty of July has nothing to fear from the most rigid examination of the social and domestic conduct of its members.

In the winter there are great balls at the Tuilleries, at one or more of which each American who has been presented at Court is invited. I understand the usage to be, that the proper officer writes to our Minister, asking for the names of all his countrymen and countrywomen who are in Paris, and who have in previous years been received by the King; and to the list thus furnished the names of all those recently presented are added, and an invitation is sent to each. As to the balls themselves, I must decline the office of chronicler. I have neither taste nor time for the task. There is all the splendor which power and wealth can command. There are immense apartments, gorgeously furnished and brilliantly illuminated—guards on duty, and servants in rich liveries—a numerous company, from all quarters of the globe, many in their national costumes, and each habited for the occasion—and there are besides these all the proper accessories of music and refreshments, including a magnificent supper, which may be expected from the highest rank and the most refined taste.

In the summer the King and his family leave Paris, and reside at Neuilly and St. Cloud, and occasionally at Fontainbleau, and some of

Digitized by Google

of the other royal seats. A day at Fontainbleau will give a general notion of the mode of life at these residences, and I will describe it as it has been described to me. Each guest is provided with proper apartments; and soon after he rises he is offered a cup of coffee, as is usual in France; and he then strolls out to look at the grounds, or to amuse himself as his inclination or caprice may dictate. About eleven o'clock he is summoned to breakfast, or as it is termed, a *déjeuner à la fourchette.* He repairs to the saloon of reception, where he pays his respects to the royal family, and where he meets all the other guests, who participate with him in the general hospitality. From here the company go to the breakfast room, a magnificent hall, where a splendid table is spread with perhaps one hundred covers. The breakfast—resembling, in fact, a dinner, rather than our morning meal—is served upon elegant dishes, and presents the greatest variety of the choicest fruits. It is introduced by soup, and at the termination tea or coffee is taken according to the taste of each person. At this time, an intimation is given to the guests respecting the amusements of the day, which consist in hunting in the beautiful forest, visiting the circumjacent country, looking at the military manœuvres, or recreations of a similar kind. The means of riding are placed at the disposition of each person, either in carriages or on horseback, and he joins the party, and the day passes cheerfully away. At six o'clock in the evening there is again a general reunion in the saloons of reception, and from these the company move to the dinner table, which is all that the epicure or the man of the most refined taste could wish. Among other amusements of the evening is that of walking through the splendid apartments, one of which, by the by, contains the table at which the renunciation of Napoleon was written, together with the pen and inkstand with which he served himself on that memorable occasion, and the original autograph instrument he wrote. The room is historical, and it is to be hoped that no Vandal will arise to destroy these interesting memorials. There is no danger of this during the life of the present King or that of his son.

The rest of the evening is spent in music and conversation, and a cheerful day is brought to a cheerful close. I am told, that no one has ever passed a day at this hospitable seat, without being most favorably impressed with the kind attention, devoid of all ostentation, of which he has been the object.

But I quit these descriptions of royal life, for sketches of mind and manners. Perhaps what I have said may be thought inappropriate to your pages, and in unfortunate juxtaposition with more important matter. But you must recollect, that the courtesies of society enter deeply into public opinion, and that he who travels abroad and shuts his eyes upon the various modes of life, high or low, he may encounter, under the impression that these are too insignificant for his wisdom or his gravity, may return with a self-satisfied conviction of his

Digitized by Google

own acquisitions, but he will assuredly bring back with him little of that practical knowledge without which his gravity, instead of being a proof of his wisdom, is but a cloak for his imbecility. And an American, while he is proud of the institutions of his country, and grateful for the rational equality which prevails there, may yet seek to explain the usages of other societies, and describe them for the gratification of his countrymen, without incurring the suspicion that he is dazzled by European lustre, or that he cannot return to his country with feelings and affections as warm as when he left it. It is owing to the essential difference in the organization of American and European institutions, social and political, that the *Quid-Nuncs* of the old world are so often deceiving themselves and their believers, respecting the gravity and tendency of every outbreak of popular feeling that occurs in the United States, and from which no human government can be wholly exempt. While every true-hearted citizen censures and deplores these acts of violence, whether their object be to resist some unpopular officer or measure, or, as more frequently happens in these latter days, to condemn, not to try, and then to punish, some obnoxious individual, by the process, so lamentably well known, of the "Lynch Law," it cannot be denied, that there is often, perhaps too often, some provocation, not for the acts, but for the excited feelings which lead to them. But the extenuating circumstances, if any exist, are unknown in Europe, while the naked facts are conspicuously recorded in all the journals, and greedily seized as proofs of the little regard for law or right in the *Pattern Republic.* It would be a curious and instructive work, were a collection made of the various *émeutes*, seditious attempts, and open violations of law, which have occurred in Europe even during the short time I have resided here. There was more blood shed in London, in the riots of 1780, than has flowed from all the popular movements in the United States since the first occupation of the country. And in France incidents of this kind are continually occurring, but they are not *spread out* for effect, as are the recitals of our political offences. I suppose the disturbances at Amiens, last season, were hardly known in the United States; and yet we have had nothing to compare with them in their gravity. As to the *émeutes* of Paris, which have so often disturbed and threatened the government, and the more recent riots in Wales, their political importance has given them a sudden celebrity. But this mania of opposition to the laws has seized the heretofore quiet Swedes; and a most formidable movement, which threatened the safety of Stockholm, was recently repressed only with great difficulty and exertion. And unfortunately for the intelligence of the age, the cause of this excitement was simply a proposition to extend to the native Jews a portion of the rights enjoyed by their countrymen.

But on the principal point of inquiry, in all estimates of the moral character of a people, deduced from their habits of obedience to the

Digitized by Google

law, must necessarily be the physical strength which the government employs in the maintenance of its authority. In the city of Paris, and in its immediate vicinity, there is a constant armed force of not less than 30,000 men, and which, it is said, often reaches the number of 50,000. Here is a well appointed army, adequate to the conquest of a kingdom. And the soldiers are quartered in every part of the city, prepared to put down any insurrectionary movements, and to give aid to the civil authority. And at all the public offices, and round all the Courts of Justice, guards are stationed, and sentinels are always on duty. Continually in the streets soldiers are seen passing with persons in their custody to be examined or committed. This display and employment of military force is evidently the great machine of authority, without which the peace of the capital and the safety of the kingdom could not exist twenty-four hours. I make this remark *not in anger but in sadness*—not because public order is thus supported, but because the state of society renders a resort to this species of force necessary. Still, however, it must not be supposed that rational freedom is oppressed by military power in France. This cannot be; public opinion is too strong, and the provisions of the charter too salutary, to suffer such an abuse, even if the government were disposed to attempt it. But it is evident, that the men who govern France at this day are little inclined to put in practice the exploded maxims of arbitrary power; and as I have not remarked, since I have been in this country, where the press is entirely free, and the community equally jealous and vigilant, a single complaint of military interference with civil rights, I must necessarily believe that such an occurrence is rare. There is in truth great personal freedom in France; and it appears to me, that the general condition of the kingdom is more happy than it has been in any former period of its history.

Preparations are at this moment making in Paris for the opening of the Chambers, and an official publication has just appeared in the *Moniteur* which will give you some notion of the respect evinced by the government for the newspaper press, and consequently the force of the latter. This notice is as follows:

"*Questorship of the Chamber of Deputies.*

"The Editors of the daily journals giving an account of the proceedings of the Chamber of Deputies are requested to meet at the office of the Secretary of the Questors, Saturday next, the 21st of this month, in order to form a *Syndicate*, and to determine the mode of admission to the tribunes reserved to the Journalists." A syndicate, you will observe, is the organization of any association for its self-government, and is a usual proceeding in France for the regulation of persons uniting together for a legal object. It has some resemblance to our corporations; and though liable to objections, it has the advantage of an interior police conducted by responsible persons.

Digitized by Google

This deference to the purveyors of public information is a striking fact in the progress of monarchical governments; and where it exists, there can be few abuses without exposure,—and, I may add, without correction.

But with us the laws may be said to uphold themselves. It is their moral, not their physical force, which ensures the obedience of society. It is the habit of submission which we are all taught in early life, that gives to a little piece of paper, borne by a sheriff or constable, the effect of a magical wand to break down all opposition. There is not a kingdom in Europe whose institutions could survive a day, if they were left to the same protection upon which our society depends for its preservation. And let him who speculates upon the relative moral condition of different people, whose obedience to the salutary restraints of law springs from such dissimilar motives, keep steadily in view this remarkable American peculiarity. And if he add, that in the United States, the soldier is *utterly* unknown as an instrument to compel submission to the civil power, he may judge of the superiority of the *morale* of our social organization over that of any other country on the face of the globe.

A circumstance occurred last winter, somewhat amusing in itself, but worth repeating, in connexion with this subject; because, while it exhibits the working of our system, it exhibits also the estimate which is liable to be formed of it in Europe. The proceedings at Harrisburg were carefully published in all the journals of France and England, with criticisms and anticipations little flattering to the national pride of us Americans who were in Europe. During the progress of this affair, there was a presentation at Court, at which were assembled, as usual, persons from every part of Europe, as well as many of our countrymen. The King, in passing along, stopped, as is his custom, to converse with our Minister; and it was remarked that he appeared to be very earnestly engaged, and then laughed heartily at some observation which seemed to be made, in answer to an inquiry he had put. I learned afterwards, from those who were within hearing of the conversation, that the King had asked the Minister if he had had any recent intelligence from Harrisburg; and finding there was none, he inquired, what would probably be the result of the difficulty. Our latest accounts of this legislative *émeute*, as it appeared to a European, had left the operation precisely where the Speaker of the House of Representatives was compelled to seek safety by jumping out of a window—an event of the gravest character, when estimated according to the notions of French politicians. The Minister answered, that much more importance was attached in Europe to this temporary suspension of legislative authority, than the result would prove it deserved. That the history of the United States had shown upon many serious occasions, that sudden exaltations of feeling soon gave way to calm reflection, and to an habitual obedience to

Digitized by Google

the laws; and that he expected the next packet would bring information that the whole affair was terminated, and that some justice of the peace was examining into the conduct of the respective parties, to ascertain by whom the laws had been violated, and to prepare the matter for judicial investigation. In fact, the anticipation proved correct, both with respect to the resumption of their proper authority by the Legislature, and to the interposition of the examining magistrates. The King was of course too polite to express any doubt concerning the prophecy of the minister, whatever might have been his personal opinion. It is more than probable that the mirth he displayed resulted from one of those contrasts which flash across the mind, when extraordinary comparisons are presented. Perhaps he pictured to himself a similar scene in the Chamber of Deputies, with its President compelled to abandon the Legislative Hall, and to flee, like his *confrère* at Harrisburg, through a window; and in such an event he might well deride a suggestion which would refer to a justice of the peace the restoration of order and the vindication of the laws. When such a legislative scene shall be exhibited in France, it will be neither warrants nor officers, that will assert the supremacy of the public authority, but agents of a far more efficient character in Europe—cannons and armies.

But I proceed to a more agreeable topic. It is well known in the United States, that the King travelled through our country in early life. I have already alluded to the events which, soon after the commencement of the French Revolution, rendered him an exile. He did not, like the princes of the elder branch of his house, join the enemy. He never bore arms against his country. But he travelled into Switzerland, where he concealed himself some time, while performing the functions of Professor at an institution of education at Reichenau,—and there is now at the Palais Royal a picture of this interesting event of his life. He remained at this establishment eight months, teaching geography, history, the French and English languages, and mathematics. Previously to admission, he underwent a severe and satisfactory examination, and when he quitted his *Chair* he received a certificate, acknowledging the useful services he had rendered to the institution. Let his descendants preserve this precious document. It will be long before the House of Orleans receives, in the person of one of its members, a reward more worthy the regard of every man interested in the true dignity of human nature. The young Professor was then twenty-two years of age; and he not only preserved his *incognito*, but his conduct was so discreet, that he was elected a deputy to the assembly at Coire.

Even in the disastrous circumstances of his personal position, he was still anxious to serve his country; and General Montesquiou having agreed to accept him as his Aide-de-Camp, he left his peaceful retreat at Reichenau, and joined the General, with whom he re-

Digitized by Google

mained till 1794, under the name of Corby. Suspicions having, however, been excited respecting his true character, he abandoned the family of General Montesquiou, and determined to remove himself farther from France. There was not wanting a party even at that day, which hoped to see a constitutional monarchy established, with the Duke of Orleans at its head; and the weight of character he had acquired rendered him an object of hatred and suspicion to the terrible and ever-changing rulers who, at that era of desperate energy, governed and died in blood. His own wish was to seek refuge in the United States; but the heir of the House of Orleans, and the descendant of Henry the Fourth, was too poor to undertake so distant an expedition. He had therefore to postpone the realization of this project, until he could procure the means of defraying its expense; but as he commenced at this period the pilgrimage which ultimately conducted him to our country, I have thought that a general outline of the events of this part of his life would not be uninteresting to your readers. As I have had a favorable opportunity of acquiring the facts, I will communicate to you a brief summary of the King's adventures, till he left the United States—remarking, however, that I can vouch for the authenticity of the narrative, as I hold almost all the information from *one who cannot be deceived.*

From Switzerland he repaired to Hamburg, and thence through Jutland to Copenhagen and Elsineur; and from the last city, peculiarly interesting to an Englishman and American, by its association with one of the proudest monuments of the genius of Shakspeare, he crossed the Sound, and landed upon the Scandinavian peninsula. After visiting Gottenburg and a part of Sweden, he entered Norway, and stopped a short time at Frederickshall, the scene of the last occurrence in the eventful life of Charles XII., one of the most impressive illustrations which history has left of the vanity of human glory, and a theme for future moralists, as it has been already for the past, when seeking to describe the unsatisfactory result of military ambition. "His death," says Dr. Johnson, with great force and beauty—

> "His death was destined to a barren strand,
> A petty fortress, and a dubious hand;
> He left the name at which the world grew pale,
> To point a moral, or adorn a tale."

From Frederickshall, the King continued his route to Christiana, where he remained some time, tranquil and unsuspected, and enjoying the primitive kindness of Norwegian hospitality. But a curious incident happened one day, to disturb his equanimity, and which at first led him to fear he was discovered. It is the habit of society in that city, at the proper season, after having breakfasted, to go into the country, and there pass the residue of the day. After one of these excursions, when the family where the stranger had been received was preparing to return to town, he heard the son exclaim, with a loud

Digitized by Google

voice, "The carriage of the Duke of Orleans!" He was recognized without doubt—but how could it be? Preserving, however, his self-possession, and perceiving the young man did not regard him, he was anxious to ascertain the cause of this singular annunciation. "Why," said he, smiling, "did you call the carriage of the Duke of Orleans, and what relations have you with the Prince?" "None, indeed," answered his Norwegian friend; "but while at Paris, whenever we issued from the Opera, I heard repeated from all quarters, 'the carriage of the Duke of Orleans!' I have been more than once stunned with the noise, and I just took it into my head to make the same exclamation."

The King continued his tour to Drontheim, and thence to Hamersfeldt, the most northern town in Europe; and I was gratified to see an incident recently recorded in the public journals, which proved that this Hyperborean city had not escaped his recollection; but that he had sent, by a French frigate engaged in scientific researches in that quarter, a present of a clock to be placed in the tower of the church, and thence to sound the warning hours over the Frozen Ocean. He continued on to the North Cape, the *Ultima Thule* of Europe, where he arrived the 24th of August, 1795. This great buttress of the continent, advancing into the icy seas, is impressively described by the few travellers who have visited it, and is remarkable from its features, its situation, and its associations. It is one of the spots on the face of the globe where the conviction of human weakness and of Almighty power is the most overwhelming. Its sad aspect is well described in these lines of Ovid:

> "Est locus extremis Scythiæ glacialis in oris,
> Triste solum, sterilis, sine fruge, sine arbore, tellus."

Here he found himself among a new race of men; and acompanied by the Laplanders and their reindeer, and on foot, he traversed the country extending to the Gulf of Bothnia, and arrived at Tornea, a little port situated at its northern extremity. He advanced into Finland, as far as the Russian frontier, but the Gallophobia of the northern Semiramis was too well known to allow him to run the risk of Siberia and the knout, and he crossed the Gulf of Finland to Stockholm.

If the political events in France had overturned the throne of Capet, and sent forth his descendants to wander in foreign lands, it must be confessed that this young member of the exiled family had turned his misfortunes to the most profitable account. He was studying human nature in the best of all schools, the school of experience and adversity; and by bringing himself into contact with every variety of life, and by adding the treasures of personal observation to the stores of learning with which his mind was fraught, he was preparing himself for that course of events which has given him such a powerful influence over the destinies of his own country and of Europe. The

Digitized by Google

bold and rugged scenery of these Arctic regions, and the simple and unpretending kindness of the inhabitants, must have produced a vivid impression upon a young man of his rank and previous pursuits, sent forth under such circumstances to commence his novitiate in the world.

After completing the examination of these ancient kingdoms, and after having been recognized at Stockholm, he proceeded to Denmark, and under an assumed name withdrew himself from observation. During his expedition no melioration had taken place in his pecuniary resources or political prospects; but no reverses could shake the determination he had formed not to bear arms against France, and he declined the invitation of Louis XVIII. to join the army under the Prince of Condé.

His father had perished upon the scaffold, his mother had been imprisoned at Paris, and his two brothers, the Duc de Montpensier and the Count de Beaujolais, had been shut up in the Castle of St. Jean, at Marseilles, where these young men, in the morning of life, without a fault but that of their birth, were treated with all that cruelty which seems to have formed a part of the system of government which, in this early period of the Revolution, oppressed France and astonished the world. Gradually, however, the condition of the Duchess of Orleans had become meliorated, and she was released from prison, though still subjected to a rigorous surveillance. Her great moral worth may have had its effect in procuring this relaxation of severity, for all accounts represent her as adorning the high position she filled in society.

Her eldest son had taken his measures with such prudence that the French government had lost all traces of him. But the mystery in which he had enveloped himself probably increased their suspicion of his designs, and their desire to discover him—always jealous of this only branch of the Bourbon family which seemed to have left in France any favorable recollections of the past, or any reasonable hopes for the future.

The French political agents in the proper quarters were instructed to exert themselves to discover, if possible, his place of refuge. Attention was particularly directed to Prussia and Poland, in one or other of which countries he was thought to be. But these efforts were baffled, and were finally succeeded by an attempt of a different character, making such an appeal to the feelings of the son and brother, as left him no hesitation in accepting the offer of a more distant expatriation, which was made to him. A communication was opened between the Directory and the Duchess of Orleans; and she was given to understand that if she would address herself to her eldest son, and prevail upon him to repair to the United States, her own position should be rendered more tolerable, and the sequestration removed from her property; and that her two youngest sons should

Digitized by Google

be released, and permitted to join their brother in America. To this proposition the Duchess assented, and wrote a letter to her son, recommending a compliance with the terms proposed, and adding—"May the prospect of relieving the sufferings of your poor mother, of rendering the situation of your brothers less painful, and of contributing to give quiet to your country, recompense your generosity!"

The government charged itself with the expedition of this letter to the exile, and again renewed its researches for his discovery. These still proving fruitless, recourse was had to a Mr. Westford, a merchant of Hamburg, who, from some circumstances, was supposed to be in correspondence with the Prince. This suspicion was well founded; but this faithful friend, ready to exclaim, "*timeo Danaos*," received with proper incredulity the declaration of the French Chargé d'Affaires at Hamburg, that his object, in opening a communication with the King, was to convey to him a letter from his mother, on the part of the government; and disclaimed all knowledge of his actual residence. He, however, immediately communicated to the King a statement of what had taken place, and the latter determined to risk the exposure in the hope of receiving a letter directly from his mother. He was actually in the neighborhood of Hamburg, though in the Danish States, where he had changed his residence from time to time, as a due regard to secrecy required. An interview was arranged by Mr. Westford, at his own house, between the King and the French Chargé, where they met in the evening, and where, after the receipt of his mother's letter, he signified at once his acceptance of the terms proposed, and his determination to embark for the United States without delay. He immediately wrote a letter to his mother, commencing with the truly filial declaration: "When my dear mother shall receive this letter, her orders will have been executed, and I shall have sailed for the United States."

The ship "American," Capt. Ewing, a regular trader between Philadelphia and Hamburg, was then lying in the Elbe, preparing for departure. The King, passing for a Dane, applied to the Captain, and engaged his passage for the usual amount, at that time thirty-five guineas. He had with him a faithful servant, long attached to his person, whom he was anxious to take. But the Captain for some reason seemed unwilling to receive him, and told his importunate passenger, that the services of this man would be useless to him upon the voyage; and that when he reached the United States, his servant would certainly desert him. He was, however, finally persuaded to yield, and the servant was received for seventeen and a half guineas.

The King was anxious to escape observation in Hamburg, and asked permission of the Captain to repair on board his ship, and remain a few days before her departure. The Captain with some reluctance consented to this unusual proposition; though it afterwards appeared that this step, and the mystery which evidently surrounded

Digitized by Google

his young passenger, had produced an unfavorable impression upon his mind.

Late in the night preceding the departure of the ship from the Elbe, when the King was in his berth, an elderly French gentleman, destined to be his only fellow-cabin passenger, came on board. He understood English badly, and spoke it worse; and perceiving the accommodations far inferior to those he had anticipated, he set himself to find fault with much vehemence, but with a garrulity wonderfully checked by the difficulty he encountered in giving vent to his excited feelings in English. He called for an interpreter; and not finding one, he gradually wore away, if not his discontent, the expression of it, and retired to rest. In the morning, seeing the King, his first inquiry was, if he spoke French; and perceiving he did, he expressed his gratification, and said, "you speak very well for a Dane, and you will be able to get along without my instruction. You are a young man and I am an old one, and you must serve as my interpreter." To this the King assented, and the old gentleman, who was a planter from St. Domingo, on his way to his native island, commenced the enumeration of his grievances. The first related to himself, and the second to the ship. He had no teeth, and the cook no soft bread; and he said it was impossible to sail in a vesssl not provided with the means of baking fresh bread; that such an arrangement existed on board all the French ships, and that he could not eat the American biscuit. The Captain coolly told him, "There is my beef, and there is my bread—and if you are not satisfied with my fare, you can leave the ship." The impatient planter, unwilling to relinquish the chance of revisiting his native country, thought it better to risk the teeth and the biscuit rather than disembark, and continued on board. There were many steerage passengers, Germans and Alsatians, emigrating to the United States. The ship left the Elbe the 24th of September, 1796, and after a pleasant passage of twenty-seven days arrived at Philadelphia. Shortly before entering the Capes of the Delaware, the King, unwilling that the Captain should learn his true character from public report after reaching his destination, disclosed to him who he was. The Captain expressed his gratification at the communication, and frankly stated, that the circumstances under which he had come on board had produced an impression upon his mind unfavorable to his young passenger; that in striving to conjecture what could be his true position, he had come to the conclusion that he was a gambler, who had committed himself in some gaming speculations, and that he was seeking secrecy and refuge in the new world. The chances of luck had indeed been against his new acquaintance, and he had lost a great prize in the lottery of life; but he had preserved those better prizes, an unreproached conscience, and an unblemished reputation. The other passenger, the St. Domingo planter, remained in ignorance of the name of his cabin companion,

Digitized by Google

till he learned it in Philadelphia, when he called to make known his surprise, and to tender his compliments.

The first quarters the King occupied, after reaching Philadelphia, were the lower part of a house belonging to the Rev. Mr. Marshal, and adjoining a church in Walnut Street, between 4th and 5th Streets; and here he remained anxiously awaiting the arrival of his two brothers. They had embarked at Marseilles, on board a Swedish ship, the "Jupiter;" and had a tedious and unusal passage of ninety-three days. This delay led the King to fear, either that some accident had befallen them at sea, or that the French government had failed to fulfil the promise which had been made to himself and his mother. However, their arrival put a stop to his sad forebodings; and after their union the three brothers removed to a house belonging to the Spanish Consul in 6th Street. Here they passed the winter, mingling in the society of Philadelphia, and forming many acquaintances, whose names appear to be fresh in the recollection of the King—such as Mr. Bingham, Mr. Willing, Mr. Dallas, Mr. Gallatin, Mrs. Powell, &c. Philadelphia was at that time the seat of the Federal Government, and General Washington was at the head of the Administration. The three young strangers were presented to him, and were invited to visit Mount Vernon after the expiration of his term of service. The King was present at the last address delivered by General Washington to Congress, and also at the inauguration of Mr. Adams, when his venerable predecessor joyfully took his leave of public life.

During the season, the King and his brothers visited Mount Vernon, passing through Baltimore, where he renewed an acquaintance previously formed in Philadelphia with General Smith; and crossing the *site* of the present City of Washington, where he was hospitally received by the late Mr. Law, and where he met the present General Mason of Georgetown. I understand this most respectable man is well remembered by the King, who loves to speak of the hospitality of his house, and of his personal kindness—evinced, among other circumstances, by his accompanying his three young guests in a visit to the Falls of the Potomac. From Georgetown the party passed through Alexandria, and thence went to Mount Vernon; where they were most kindly received, and where they resided some days. The King's reminiscences of *the* patriot coincide with the statements generally given by his contemporaries of his private life and personal habits. He was comparatively silent, somewhat reserved, methodical in the division of his time, and careful in the use of it. The arrangement of his household was that of a wealthy Virginia gentleman of the old school, unostentatious, comfortable, and leaving his guests to fill up their hours as they thought fit, and at the same time providing whatever was necessary for pleasant employment. One morning, after the usual salutations, the King asked his distinguished host, how he had slept the preceding night. It is probable, from the answer,

Digitized by Google

that some peculiar circumstance had turned his thoughts towards the evils too often produced in society by reprehensible publications. However this may be, that answer deserves to be engraved upon the hearts of his countrymen: "I always sleep well, for I never wrote a word in my life which I had afterwards cause to regret."

While at Mount Vernon, General Washington prepared for the exiled princes an itinerary of a journey to the Western Country, and furnished them with some letters of introduction for persons upon the route. They made the necessary preparations for a long tour, which they performed on horseback, each of them carrying, in a pair of saddle-bags, after the fashion of that period, whatever he might require in clothes and other articles for his personal comfort. I know a fellow-countryman who has been favored by the King with the sight of a copy of one of Bradley's maps of the United States, of the earliest edition, which he had with him during the several tours he made in our country; and I understand that the appearance of this ancient travelling companion furnishes convincing proof that it has passed through severe service. The various routes followed by the travellers are strongly depicted in red ink; and by their extent and direction they show the great enterprise displayed by three young strangers, to acquire a just knowledge of our country, at a time when the difficulties of travelling over a great part of the route were enough to discourage many a hardy American.

For the sake of your younger readers, I will mention, what I understand the King stated at the time he showed this map to our countryman, and which proves his love of order, and his attention to the details of life, without which there can be no true independence nor lasting usefulness. He mentioned that he possessed an accurate account showing the expenditure of every dollar he disbursed in the United States. It is an example of business habits, worthy of all praise and all imitation. This attention to the important concern of personal expenditure was one of the characteristic features of Washington, and both of these celebrated men were no doubt penetrated with the conviction that punctuality is essential to success. For myself, I have no belief in that greatness which is too great to mingle with the details of life.

Our adventurers took the road by Leesburg and Harper's Ferry to Winchester. Here they dismounted at a house kept by Mr. Bush, and who, that knew this pleasant hospitable town forty years ago, did not know Mr. Bush, and his quiet, comfortable public house? I have him in my mind's eye, as he was then—portly, ruddy, though advanced in life, with a large broad-brimmed hat, and with his full clothes of the olden time, looking the very patriarch of his establishment. He had two houses, one for his family, and one for his guests; and there was no resting place in all that rich valley more coveted by the traveller than this. It was altogether a model of neatness and comfort,

Digitized by Google

and the good man who had built it up, and who yet continued it more from the desire of employment than the desire of gain, seemed to consider the relations subsisting between the traveller and himself as a favor to the former and not to the latter. I devoutly hope, that no *spirit of improvement* has cut down the willow tree, nor turned away the little brook upon whose banks it grew, immediately in front of this primitive establishment,—for many a time, under the shadow of the one and by the murmur of the other, I have sat and listened to this interesting man, while he recounted the perils and trials of the inhabitants of Winchester, while Winchester was a frontier post, and the mountains beyond it the abode of hostile Indians. And my attention was awakened into enthusiasm, when he took up the story of Washington, and drew from his memory many a fact which he had seen and known, of the youthful days of the hero. For Washington was stationed at Winchester during a portion of the contest between the English and French for supremacy upon the North American continent, and when the Indians were let loose and incited to acts of terrible cruelty upon the exposed border. For a part of the time he was an inmate of Mr. Bush's house, and it was evident that his whole conduct and bearing had left the most favorable and profound impression upon the worthy landlord. And I recollect he adverted to a distinguishing trait in the characteristic habits of Washington, that of the power he acquired over all around him; observing, that though he was young, his officers, while they loved their commander, still were controlled and restrained by his presence.

Mr. Bush was from Manheim, and the King had recently visited that city, and besides he spoke German as well as French or English. A bond of communication was thus established between them, and the landlord and the traveller were soon engaged in an interesting conversation. This took place while the necessary arrangements were making in the culinary department to provide a substantial meal for the hungry guests; and probably, also, for others who were waiting for the same indispensable attention. One of the younger brothers was indisposed, and the King suggested to his landlord a wish that his party might be permitted to eat by themselves. But oh, the vanity of human expectations! Such a proposition had never been heard in the whole valley of the Shenandoah, and least of all in the mansion of our friend, Mr. Bush. The rules of his house, to which the laws of the Medes and Persians were but transitory regulations, had been attacked, and his professional pride wounded; and the recollections of Manheim, and the pleasure of his native language, and the modest conversation of the young strangers, were all thrown to the wind, and the worthy and offended dignitary exclaimed: "If you are too good to eat at the same table with my other guests, you are too good to eat in my house—begone!" And notwithstanding the deprecatory tone which the King immediately took, his disavowal of any intention to

Digitized by Google

offend, and his offer to eat where it would be agreeable to this governor of hungry appetites that these should be assuaged, the young men were compelled to leave the house, and to seek refuge elsewhere.

Our adventurers turned their backs upon Mr. Bush and Winchester, and proceeded by Staunton and Abingdon to Knoxville and Nashville. From the latter place they took their departure for Pittsburg, which they reached, after passing through Louisville, Lexington, Maysville, Chilicothe, Lancaster, Zanesville, Wheeling, and Washington, in Pensylvania. When traversing the Barrens in Kentucky, they stopped at a cabin, where was to be found "*entertainment for man and horse*," and where the landlord was very solicitous to ascertain the business of the travellers—not apparently out of any idle or interested curiosity, but because he seemed to feel a true solicitude for them. It was in vain, however, the King protested they were travelling to look at the country, and without any views of purchase or settlement. Such a motive for encountering the trouble and expense of a long journey was without the circle of the settler's observation or experience; and he could only believe it by placing these young men quite low in his scale of human intelligence, and then with a feeling of pity or contempt. In the night all the travellers were *stowed away* upon the floor of the cabin, with their feet to a prodigious fire—(they did not sell wood by the pound, as they do at Paris)—and I can vouch for the fact, whatever may be thought of it in these degenerate days of steamboats, railroads, splendid taverns, and feather beds, that no man need desire a more comfortable sleep than a long day's ride, a hearty supper, and what was called the soft side of a plank, with the appliance of a good fire, formerly gave to the traveller in the infancy of our settlements in the trans-Alleghany regions. This Green River cabin like all its congeners had but one room, and while the guests were stretched upon the floor, the landlord and his wife occupied their *puncheon* bedstead—(I won't insult your readers by presuming they need an explanation of this term)—which was pinned to the logs forming the side of the *mansion*. In the night the King overheard the good man expressing to his wife his regret, that three such promising young men were running uselessly over the country, and wondering they did not purchase land there, and establish themselves creditably.

At Bairdstown the King was indisposed, and stopped to rest and recover. Unfortunately the place was in commotion, and the whole family at the inn, father, mother, children, and servants, left their sick guest without attention. When the landlady made her appearance, the latter, a little impatient, asked why she had not left a servant to wait upon him. She answered with great animation, that there was a show there, the first that had ever been seen in Bairdstown, and she could not think of staying away herself, nor of withholding any of her family. I have understood, that since the King has been upon the throne, he

Digitized by Google

has presented to the venerable Bishop Flaget a clock for his cathedral in this very Bairdstown. "Who knows what to-morrow shall bring forth?"

At Chilicothe the King found a public house kept by a Mr. McDonald, a name well known to the early settlers of that place; and he was a witness of a scene which the progress of morals and manners has since rendered a rare one, in that place, or indeed throughout the well regulated State of Ohio. He saw a fight between the landlord and some one who frequented his house; in which the former would have suffered if the King had not interfered to separate the combatants. The second in command, who distinguished himself at the battles of Fleurus and Jemappes, performed in the ancient capital of the North Western Territory—the office of mediator between two rival powers! At Zanesville the party found the comfortable cabin of Mr. McIntire, whose name has been preserved in the King's memory, and whose house was a favorite place of rest and refreshment for all the travellers who, at this early period, were compelled to traverse that part of the country. And if these pages should meet the eyes of any of those who, like the writer, have passed many a pleasant hour under the roof of this uneducated, but truly worthy and respectable man, he trusts they will unite in this tribute to his memory.

At Pittsburg the travellers rested several days and formed an acquaintance with some of the inhabitants, and particularly with General Neville, so well known for his respectability and amiable qualities. They met there Mr. Brackenridge, afterwards Judge Brackenridge, whose peculiar characteristics were equally visible in his rambling satire, called "Modern Chivalry," and in his personal eccentricities, both as a lawyers and a magistrate; but withal a man of genius, of unquestioned probity, and of much intelligence. Many a pregnant anecdote of his wit and oddity was circulated among the bench and bar at that early period in the history of Western jurisprudence; and I might appeal to some yet well remembered friends, who still survive the lapse of time, and who have no doubt preserved these reminiscences of departed mirth. This was the Judge who, with a chivalry equal to that of the hero of his own story, requested to be impeached by the House of Representatives of Pennsylvania, because that high body had instituted an impeachment against his judicial brethren; and who escaped the effect of his temerity—which led, not to the process he courted, but to an address from two-thirds of both branches of the Legislature for his removal—by a lexicographical decision of the Governor, McKean, who said, he would let the General Assembly know, that the constitutional "*may*" meant "*won't.*" The King has preserved a distinct impression of the peculiar mental features of Judge Brackenridge; and though these may not often be found among judicial functionaries of the present day, they were not unknown at that time.

Your Solons and Justinians now upon the stage must look back

Digitized by Google

with forbearance upon some traits of levity of their predecessors in jurisprudence *who cut the first legal bush* in the West. A solemn demeanor and official gravity may become the profession in these comfortable days of its existence; but in those by-gone times, when the Judge and the lawyer mounted their horses, and rode one and two hundred miles to a Court, and then to another and another yet, and through woods, following merely a bridle path, crossing the swollen streams upon their horses while swimming, and thrown together at night into a small cabin, the school of Democritus had far more disciples among them than that of Heraclitus. I have certainly been in much greater peril since, but with respect to a real *nonplush*—(my Western friends will understand me)—the crowning incident of my life was upon the bank of Scioto Salt Creek, suddenly raised by a heavy rain, in which I had been unhorsed by the breaking of the saddle girths. My steed was a bad swimmer, who, instead of advancing after losing his footing, amused himself by sinking to the bottom, and then leaping with his utmost force; and this new equestrian feat he continued, till rider, saddle, saddle-bags, and blankets, were thrown into the water, and the recusant animal emerged upon one side of the creek, and the luckless traveller crawled out upon the other, as he best could; while the luggage commenced its journey for New Orleans. It appears to me now, that a more *dripping* spectacle of despair was never exhibited, than I presented, while surveying, many miles from a house, this shipwreck of my travelling fortunes.

These, however, were the troubles of the day; but oh! they were recompensed by the comforts of the evening, when the hospitable cabin and the warm fire greeted the traveller!—when a glorious supper was spread before him—turkey, venison, bear's meat, fresh butter, hot corn bread, sweet potatoes, apple sauce, and pumpkin butter! The sturdy English moralist may talk of a Scotch supper as he pleases, but he who never sat down to that meal in the West forty years ago, has never seen the perfection of gastronomy. And then the animated conversation succeeded by a floor and a blanket, and a refreshing sleep!

The primitive court-house, too, built of logs, and neither chinked nor daubed, but with respectable interstices big enough to allow the passage of a man, is another permanent object in this group of recollections. And in this *sanctuary*, as well as in the public houses, the court and bar, and suitors and witnesses, were mingled in indescribable confusion.

Strange scenes sometimes occurred under these circumstances, and a characteristic anecdote is told of General Jackson, in a situation where he displayed his usual firmness, by compelling the submission of a noisy braggadocio who had interrupted the Court, and successfully resisted the efforts of the officers to apprehend him.

I recollect a similar incident which took place in a small village

Digitized by Google

upon the banks of the Ohio. The Court was in session, and the presiding officer was a Colonel P*****, a man of great resolution, and of a herculean frame. A person entered the *Court Cabin* and by his noise put a stop to the proceedings. He was ordered out, and the Sheriff attempted to remove him; but he put himself upon his *reserved rights*, and made such a vigorous resistance, that the officer retired from the contest. Colonel P***** descended from the bench, coolly took off his coat, gave the brawler a severe beating, and after putting him out of the house, resumed his garment and his seat, and continued his judicial functions.

As I may never have so favorable an opportunity of relating another anecdote, characteristic of these times, and which I have long preserved in my memory, I will inflict it upon you now. The principal actor in the scene was my early, and has been my constant, friend, and is yet pursuing his profession in the north part of Ohio, respected by all who know him. Should these sketches meet his eye, while they recall one of the laughable scenes of his youth, they will recall, I hope, the memory of the writer.

This gentleman was engaged in a cause which came on for trial, but in which I have always suspected he was not prepared. He rose from his seat and gravely observed, that his client was ready, but that the members of the Court were too much intoxicated—(he used a worse word than that)—to perform their duties, and he therefore moved their *Honors* to adjourn. For my own part I did not believe the charge—at any rate to the extent thus boldly made; and I thought the object of my free-spoken friend was, by the aid of a little confusion, to retire from the field with his cause untried and his honor untouched. The matter passed off as a good joke—the Court actually adjourning—and the story is perhaps yet preserved among the judicial traditions of Wood County in Western Virginia. I give the name of the place, lest some of your chivalric readers of the Ancient Dominion should suppose that such a fact could only have happened in the *barbarous* country North of the Ohio. This same county was also the residence of Colonel P*****.

I have deeply regretted to learn by the public journals, that one of the judges of that period well, known to the Bench and Bar and public of Ohio, has been lately cut off in the midst of his usefulness. He has left few more pleasant companions behind him. Called young to a judicial station, he brought to it great quickness of perception, much firmness of character and unquestioned integrity, together with a moderate knowledge of his profession. But he had great wit and the most imperturbable good humor; and although so much of a hypochondriac, that he always carried a travelling apothecary's shop with him, he found causes of merriment in almost all that happened. It was impossible to be sad in his presence, and the first President of the third judicial circuit of Ohio, under the Constitution, was equally esteemed as a judge, as a man, and as a companion.

Digitized by Google

"A merrier man,
Within the limits of becoming mirth,
I never knew withal!"

Although one of the remains of that period of *forensic* adventures, I am far enough separated from it, and from the scenes of their occurrence, by time and space, to speak of the actors without the charge of vanity or prejudice; and after having since surveyed life in the four quarters of the globe, I am free to declare, that in all the essential qualities of head and heart, the Bar of Ohio, between 1800 and 1812, presented in many of its members the best specimens of human nature.

But my business is with the exiled princes of the house of Bourbon, and not with reminiscences of legal life in the West, though the eccentricities of Judge Brackenridge have thrown me back upon events long since passed. While the King was at Pittsburg, an amusing incident happened, which was connected with one of our countrymen who subsequently acquired much distinction for the enterprise and military qualities he displayed, in conducting an expedition from Egypt to Derne, to co-operate with our naval forces in an attack upon that city. This was General Eaton, who, taking his seat one morning at the breakfast table, where were assembled the King and his brothers, and the boarders of the house, called a female servant to him, and said, with a loud voice: "You gave me a d—— dirty room, and a d—— dirty bed, last night." The landlord who had heard the observation, or to whom it was repeated, immediately made his appearance, and walking up to General Eaton, said: "You have had a d—— dirty room, and a d—— dirty bed, and as I keep a d—— dirty house, you will walk out of it." And out of it he was indeed compelled to go.

From Pittsburg the party travelled to Erie, and thence down the lake shore to Buffalo. At Cattaraugus they found a band of Seneca Indians, to whom they were indebted for a night's hospitality; for there were then few habitations but Indian wigwams upon the borders of our internal seas, and still fewer vessels, except birch canoes, which sailed over their waves. Among this band was an old woman, taken prisoner many a long year before, and now habituated to her fate and contented with it. She was a native of Germany, and yet retained some recollection of her native language and country; and the faint, though still abiding, feeling which connected her present condition with her past, led her to take an interest in the three young strangers who talked to her in that language and of that country; and she exerted herself to render their short residence among her friends as comfortable as possible. The Chief assured the travellers, that he would be personally responsible for every article they might entrust to his care; but that he would not answer for his people, unless this precaution was used. Accordingly everything was deposited with the Chief, saddles, bridles, blankets, clothes, and money. All which

Digitized by Google

being faithfully produced in the morning, the day's journey was commenced; but the party had not proceeded far upon their route, when they missed a favorite dog, which they had not supposed to be included in the list of contraband articles, requiring a deposite in this aboriginal custom-house, and had therefore left at liberty. He was a singularly beautiful animal, and having been the companion in imprisonment of the two younger brothers at the Castle of St. Jean, they were much attached to him. The King immediately returned to seek and reclaim the dog, and the Chief, without the slightest embarrassment, said to him, in answer to his representations: "If you had entrusted the dog to me last night, he would have been ready for you this morning, but we will find him!" And he immediately went to a kind of closet, shut in by a board; and on his removing this, the faithful animal leaped out upon his masters.

I do not know that the Lacedemonian code of morals, regarding larceny, has been formally adopted by any of our Indian tribes, but one thing is certain, that from Hudson's Bay to the Gulf of Mexico, very few Indians can be found who will not steal from a white man, when they are not apprehensive of detection, and who are not proud of cheating the Tshin-o-ke-mann.*

The travellers pursued their way to Buffalo, and from there crossed to Fort Erie, and then repaired to the Falls of Niagara on the Canadian side, the state of the country on the American side intercepting all direct communication between Buffalo and the Cataract. Going and returning they slept at Chippewa, since immortalized in our military annals by one of the most brilliant feats of arms which have shed their lustre upon our history.

From Buffalo they proceeded to Canandaigua, through a country almost in a state of nature, and by paths, rather than roads, which to this day seem to furnish the King with his *beau ideal* of all that is marshy and difficult, and even dangerous, in travelling. In one of the worst parts of this worst of roads, they met Mr. Alexander Baring, the present Lord Ashburton, whom the King had known at Philadelphia, where he had married a daughter of Mr. Bingham. Mr. Baring was on a visit to the Falls of Niagara, and having almost exhausted his patience, at the state of the roads and the difficulties he had encountered, he expressed a doubt whether Niagara itself would furnish an adequate recompense for the fatigue and privation necessary to reach it. Mr Jefferson, after describing the passage of the Potomac through the Blue Ridge at Harper's Ferry, with great beauty and animation, adds, that many a one has lived and died within a short distance of this sublime scene, without ever visiting it. And a similar remark has often been made respecting Niagara, including even, within the circle of insensibility, persons who had heard the noise of the Cata-

* The Indian name for a white man.

Digitized by Google

ract during many years of their lives. I should not like to vouch for the truth of the latter circumstance, probably introduced to heighten the effect of the picture. Albeit endowed with a reasonable share of curiosity, and having the bump of locomotion pretty well developed, and though I have visited and surveyed, once and again, both of these stupendous works of nature, and have retired with the most powerful emotions, still I must say, that I should have felt all the impatience that Mr. Baring manifested, and probably more. And I am certain that in making such a pilgrimage, to such a distance and under such circumstances, he displayed more enterprise and perseverence than have fallen to any lot. However this may be, the travellers, after a few moments' conversation in the swamp, pursued their respective routes—Mr. Baring telling the King, that he had left an almost impassable road behind him, and the King answering by the comfortable assurance, that Mr. Baring would find no better one before him.

They continued their route to Geneva, where they procured a boat and embarked upon the Seneca Lake, which they ascended to its head; and from here they made their way to Tioga Point upon the Susquehannah—each of the travellers carrying his baggage for the last twenty-five miles, upon his back. The load was no doubt heavy, and the task laborious, but I am strongly inclined to believe, that the burden which the King now bears—and luckily for his country and for Europe—is more oppressive than the weight which the Duke of of Orleans carried through the forests and over the hills of the Susquehannah. From Tioga, the party descended the river in a boat to Wilkesbarre, and thence they crossed the country to Philadelphia.

I have found in a French publication a letter dated from Philadelphia, the 14th of August, 1797, written by the Duc de Montpensier to his sister, the Princess Adelaide of Orleans, in which he describes the incidents and impressions of this journey. Having ascertained from *the proper* quarter that this letter is a genuine one, I have thought that an extract from it would not be unacceptable, and here it follows:

"I hope you received the letter which we wrote you from Pittsburg, two months since. We were then in the midst of a great journey, that we finished fifteen days ago. It took us four months. We travelled, during that time, a thousand leagues, and always upon the same horses, except the last hundred leagues, which we performed partly by water, partly on foot, partly upon hired horses, and partly in the *stage*,* or public conveyance. We have seen many Indians, and we remained several days in their country. They received us with great kindness, and our national character contributed not a little to this good reception, for they love the French. After them, we found the Falls of Niagara, which I wrote you from Pittsburg we were about to visit, the most interesting object upon our journey. It is the most

* The word in the original.

Digitized by Google

surprising and majestic spectacle I have ever seen. It is a hundred and thirty-seven (French) feet high, and the volume of water is immense, since it is the whole River St. Lawrence, which precipitates itself at this place. I have taken a sketch of it, and I intend to paint a *gouache** from it, which my dear little sister will certainly see at our tender mother's; but it is not yet commenced, and will take me much time, for truly it is no small work.

"To give you an idea of the agreeable manner in which they travel in this country, I will tell you, my dear sister, that we passed fourteen nights in the woods, devoured by all kinds of insects, after being wet to the bone, without being able to dry ourselves; and eating pork, and sometimes a little salt beef, and corn bread."

On their return to Philadelphia, the brothers found their finances so exhausted, that they could not quit the city during the prevalence of the yellow fever. But their mother having recovered a part of the property of the family, hastened to send them the necessary resources; and in September they undertook another excursion, which this time led them to the Eastern part of the United States. They proceeded to New York, and thence by the Sound to Providence and Boston. In this metropolis of New England they remained some time, greatly satisfied with the hospitality and kindness of the inhabitants. The King yet speaks of General Knox, Colonel Pickering, Mr. Otis, and others, whom he met here. They continued their journey, by the way of Newburyport and Portsmouth, to Portland; and from this last place they returned to Boston, and thence took the route by Hartford, New Haven, and New London, to New York. Governer Clinton, Judge Jay, Colonel Burr, and Colonel Hamilton, appear to have been well known to the King.

While at New York, the brothers learned from the public papers that a new law had just decreed the expulsion of all the members of the Bourbon family, yet remaining in France, from that country; and that their mother had been deported to Spain. Their object was now to join her; but owing to their peculiar circumstances, and to the war between England and Spain, this object was not easily attained. To avoid the French cruisers upon the coast, they determined to repair to New Orleans, and there to find a conveyance for Havana, whence they thought they could reach the mother country. They set out therefore for Pittsburg on the 10th of December, 1797; and upon the road, fatigued with travelling on horseback, they purchased a wagon, and harnessing their horses to it, and placing their luggage within, they continued their route more comfortably. They arrived at Carlisle on Saturday, when the inhabitants of the neighboring country appeared to have entered the town for some purposes of business or pleasure, and drove up to a public house, near which was a trough for

* A painting in water colors.

Digitized by Google

the reception of the oats which travellers might be disposed to give to their horses, without putting them into the stable. A quantity of oats was procured by the party and poured into the trough, and the bits were taken from the horses' mouths, to enable them to eat freely. The King took his position in the wagon, looking round him; when the horses being suddenly frightened, ran away with the wagon, which, passing over a stump, was broken, and upset. The King was thrown out, and somewhat injured. In early life, he had luckily been taught a little of everything; and among other acquirements, he was able to open a vein quite *surgically*. He is said to carry a lancet with him in all his excursions, and an incident of recent occurrence shows that this precaution is a wise and humane one. I have seen at our Minister's an engraving, presented to him by one of the Royal family, which represents the King in the act of bleeding his courier, who had been thrown from his horse and seriously hurt. The Duke of Orleans is supporting the sufferer, while the King's suite surrounds the groupe—some of them aiding in the operation, and others looking on with much interest depicted in the countenances. Among the latter, Marshal Soult, and General Bernard, heretofore in our service, are easily distinguishable. The ladies of the family occupy the carriage in the back ground, regarding the scene with that solicitude they always manifest when there is any question of human suffering. I do not know how it is with others, but this simple and touching representation moves me more than the immense pictures of Versailles where the canvass has recorded all the military glories of France.

But to return to Carlisle and the wanderers. The King immediately perceived that his situation required he should be bled; and making his way, as he best could, to the tavern, he requested permission of the landlord to perform the operation in his house, and to be furnished with linen and water. The family was kind, and supplied him with everything he required; and he soon relieved himself by losing a quantity of blood. The circumstances, however, had attracted general attention, in consequence of the accident to the wagon, and of the injury to the traveller, and still more from the extraordinary occurrence of auto-phlebotomy; and a large crowd had collected in the tavern to watch the result of the operation. About this period, the New England States were sending out those swarms of emigrants to Ohio, who went to lay down the forests before them, and to build up their fortunes in the West. The King speaks English as well as an American or an Englishman, and no accent would betray that he was a Frenchman. It is probable, the curious spectators thought he was a Yankee doctor, going to the West to establish himself, and to vend medical skill and galenicals. Apparently well satisfied with the surgical ability which the new Esculapius had just displayed, they proposed to him to remain at Carlisle, and to commence there his professional career, promising to employ him, and assuring him, that his

Digitized by Google

prospect of success would be much more favorable than in the regions beyond the mountains.

When our party reached Pittsburg, they found the Monongahela frozen, but the Alleghany open. They purchased a keel-boat, then lying in the ice; and with much labor and difficulty transported it to the point, and there embarked, with three persons to aid them in their navigation, and descended the Ohio. Before arriving at Wheeling, the river became entirely obstructed by the ice, and they were compelled to land and remain some days. They found Major F******, an officer of the Army, charged with despatches for the posts below, detained at the same place. On examining the river from the neighboring hills, they ascertained that the region of ice extended only about three miles, and kept themselves prepared to take advantage of the first opening which should appear. This soon came, and they passed through, and continued their voyage; but Major F******, who had not been equally alert, missed the opportunity, and remained blockaded. He did not reach the lower part of the river till three weeks after our travellers. He merited, if not the same reward, one of the same kind, as that which was suggested for his commander, General Wilkinson, when this officer was despatched by General Gates to carry to Congress the news of the capitulation of Saratoga; and who loitered upon the way, till the whole country had learned the event, and till Congress had lost itself in conjectures, wondering that the General had not transmitted the official report of his success. When the tardy messenger arrived, there was a question of conferring upon him a reward, agreeably to the established usage. In the discussion a shrewd member proposed to decree him a pair of leaden spurs. Major F****** might have claimed a leaden paddle.

At Marietta, the party stopped and landed; and from a circumstance connected with the King's recollection of this town, it may not be out of place to allude to the faculty of memory which he possesses in a most extraordinary degree. I have heard, from many persons entitled to all credit, instances of the exercise of this power to an extent rarely to be found in life. You have remarked, in the course of this narrative, the names of the various places which the King visited, and of the many persons with whom he was brought into contact. Recollect, that these journeys were performed forty years ago, and that many of these towns had been then recently laid out, and consisted only of a few cabins. Recollect also, that some of the persons whose names are here given were without any particular claims to remembrance; and added to these facts, that you have not a tithe of the names of men and places which the King has preserved in his recollections of our country; and then consider, what the gentleman from whom I had these anecdotes has assured me of, that in recounting what he had seen and done in the United States, the King never hesitated a moment, but spoke with as much accuracy

Digitized by Google

as if he had had a written memorandum before him. And when, among other questions, he asked the King: "At what time did you embark at Hamburg?"—and he answered: "On the 24th of September, 1796, on board the 'American,' Capt. Ewing, and I was twenty-seven days on the passage,"—my informant confesses he listened with surprise. I have heard, from a perfectly authentic source, another anecdote proving the same power. Mr. Hughes, our Chargé at Stockholm, was presented to the King in July last. The application for this purpose was made by the Minister in the usual way in a letter to the proper officer. The King, of course, knew only that Mr. Hughes, the American Chargé in Sweden, was about to be presented to him. As our Minister, followed by Mr. Hughes, entered the door of the saloon of reception, the King met them, and after exchanging a few words with the former, he said: "I am very glad to see you, Mr. Hughes, but I regret to learn that my friend General Smith is dead." The Minister, though he knew Mr. Hughes was the son-in-law of General Smith, was yet utterly at a loss to conjecture, by what association the name of the worthy veteran was recalled at that moment, never presuming that the connexion could be known to the King. But on retiring the mystery was disclosed, and the power of the King's memory exhibited, by the explanation of Mr. Hughes; who stated, that at the Palais Royal, nine years before, when the King was Duke of Orleans, he had been presented to him, and had then told him he was the son-in-law of General Smith. And during those nine years, what events had not happened to the King, to drive such a circumstance from his recollection!

The King once asked my informant, if he was ever in Marietta. As it happened, this gentleman had spent some years in the early part of his life there, and was able to answer in the affirmative. "And did you know," said the King, "a French baker there, named Thiery?" This gentleman knew him perfectly well, and so answered the inquiry. "Well," said the King, "I once ran away with him,"—and then proceeded to explain, that in descending the Ohio he had stopped at Marietta, and gone into the town in search of bread. He was referred to this same Mr. Thiery, and the baker not having a stock on hand, set himself to work to heat his oven in order to supply the applicant. While this process was going on, the King walked over the town, and visited the interesting ancient remains which are to be found in the Western part of it, near the banks of the Muskingum, and whose history and objects have given rise to such various and unsatisfactory speculations. The King took a sketch of some of these works, which are indeed among the most extensive of their class, that are to be found in the vast basin of the Mississippi. On his return, he found the ice in the Muskingum upon the point of breaking up, and Mr. Thiery so late in his operations, that he had barely time to leap into the boat, with the bread, before they were compelled to leave

Digitized by Google

the shore, that they might precede the mass of ice which was entering the Ohio. Their French friend bore his misfortune like a philosopher; and though he mourned over the supposed grief of his faithful wife, he still urged the rowers to exert themselves in order to place his young countrymen beyond the chance of injuiry. They were finally successful, and after some time the good man was taken ashore by a canoe which they hailed, well satisfied with his expedition. The travellers continued their voyage, and met but with one sinister accident. By the inattention of the helmsman the boat struck a tree, and stove in her bows. All the crew, princes and hired men, went to work, and after twenty-four hours the damages were repaired, and they reached New Orleans in safety, on the 17th of February, 1798.

From this city, they embarked on board an American vessel for Havana; and upon their passage they were boarded by an English frigate, under French colors. Until the character of the cruiser was ascertained, the three brothers were apprehensive that they might be known and conducted to France. However, when it was discovered, on one side, that the visiter was an English ship, and, on the other, that the three young passengers were the princes of the House of Orleans, confidence was restored, and the Captain hastened to receive them on board his vessel, where he treated them with distinction, and then conducted them to Havana.

But before the King left the American ship, he witnessed one of those scenes of lawless violence which marked our maritime history for many years, and in which public law and private liberty were equally sacrificed. The crew was mustered upon deck, and the British officer impressed as many of them as he pleased; and took them on board his frigate, to fight against their own country, or any other, as the interest of England, or the orders of their officers, might require. It is not the least strange of all the strange events which have occured in these days of change, that a young man, a passenger on board an American ship, and who was brought by circumstances into contact with the practical operation of the claim, on the part of Great Britain, to take from our vessels any persons sailing under our flag, should have been called upon many years after by the English Government, when upon the throne of France, to disavow the forcible abduction of of a person from an English vessel. But this time, in the language of the homely apologue, it was the other ox that was gored.

The discussions in the British Parliament upon this subject possess sufficient interest to be adverted to, particularly as their full bearing upon this question of impressment seems not to have attracted the notice it is justly entitled to. During the French naval operations before the port of Vera Cruz, an English packet ship, leaving the harbor, was boarded by an officer from the blockading squadron, and a Mexican pilot taken from her. This act of illegal violence excited a great

Digitized by Google

sensation in England, and led to warm discussions in Parliament. Upon the representations of the English Government, it was promptly disavowed by that of France. To those who recollect with what pertinacity a similar right, with respect to our vessels, was so long claimed and exercised by the British authorities, the remarks I shall quote, and which were made by some of the most distinguished statesmen of England, will present one of the most extraordinary chapters in the whole history of human inconsistency.

In both Houses of Parliament there was the same burst of patriotic indignation. Not a voice was raised in favor of the old doctrine, but all coincided in the sentiment that the act was a gross outrage, and that the British flag was equally a protection for all sailing under it, whether in public or private vessels. I shall from the journals of the day.

Lord Lyndhurst said,—" the pilot had come on board under the protection of the British flag, looking to that flag as a protection, but in this instance it was no protection. A more grave, a more serious outrage or insult was never committed against this country."

Lord Ellenborough said,—" that no French officer had a right to board a British merchantman, and take a man from her in any part of the world."

Lord Brougham said,—" any man on board a British merchantman is as much under the protection of the Queen's flag, as if he was on board the Queen's ship. And there is no difference, if a man be taken from a merchantman or a Queen's ship, if it be an English vessel."

Sir Robert Peel said,—" that, if for no other purpose, yet he hoped for that of preventing the principles of international law from being unsettled by any rash or unwarrantable act, and to prevent the enormous evils which must ensue if the British flag or any other neutral flag were not considered a safe protection to those who sail uuder it —occupied for instance in delivering the ship from peril in the capacity of pilots—all the circumstances of this transaction would remain upon record."

Sir J. Graham,—" If the officer gave up his pilot, without striking his colors before a superior force, the proper course would be to put him on his trial."

Lord Brougham, on another day, said,—" that the gravamen of the charge was, not that a man had been taken, but that he had been taken from an English ship."

The Duke of Wellington and other speakers expressed their general concurrence in these sentiments.

I am fully alive to the value of the most friendly connexion between our country and the land of our forefathers, and I, for one, should be prepared, in case of necessity, to make any reasonable sacrifices to preserve it. There are a thousand causes, social and political, bearing upon the past, the present, and the future, which give to these relations a character of great interest and gravity. The present condi-

Digitized by Google

tion of the British Islands presents, in my estimation, not only a political problem of the highest importance, but a moral phenomenon without a parallel in the history of the world. Occupying only the fourth place among European nations in the scale of population, which is necessarily the first permanent element of power—pressed by a debt whose interest requires more than one half of the public revenue —divided by internal questions of polity, discussed with the greatest vehemence, and bearing upon the fundamental institutions of the country—possessed of a laboring class, always scantily paid and supplied, and frequently without work or provisions—and having in at least a third part of the Metropolitan Empire a people of a different religious faith, and always liable to be excited by the course of measures which ages of bad government have heretofore entailed upon them—the British nation has reached an elevation of moral and political power, high enough to satisfy the aspirations of the most ambitious or the most patriotic,—an elevation which contrasts powerfully with the partly historical and partly prophetical denunciation of Mr. Jefferson, in his beautiful "Notes upon Virginia," published immediately after the close of our Revolution, and before the feelings to which it gave birth had subsided into calmness and impartiality. "Her philosophy," said this patriotic and able statesman, "has crossed the Channel, and her freedom the Atlantic, and herself seems fast approaching that awful dissolution whose results it is not given to human foresight to scan." I quote this striking sentiment from memory, the original passage not being within my reach, but its indignant bearing was so forcibly impressed upon my memory in early youth, that I run small risk of perverting its meaning. After believing, for many years, that the French had abstracted from England all her philosophy and we all her freedom, and that her period of declension had commenced, I have learned to look upon her condition with a truer judgment, and to form a humbler estimate of human penetration. I have learned that she has much sound philosophy, and much rational freedom; and I trust that gradual meliorations in her institutions will evince the power of the former, and will augment the latter; and I leave all speculations upon her fall to rasher or wiser observers than I am—contenting myself with hoping that any sinister predictions may prove as fallacious for the future, as they have been for the past.

But there are points of contact between the United States and Great Britain, which will require careful wisdom and forbearance to avoid; and there is none more certain to produce the most disastrous consequences, than the practical renewal of some of those lawless maritime claims which the two great belligerents that so long disturbed the peace of the world asserted and enforced with a pertinacity of purpose, and contempt of public right, which distinguished that remarkable period of modern history. I do not know whether we may consider it characteristic of our times, and the necessary re-

Digitized by Google

sult of the rapidity with which great events succeed one another, but so it is, that the recollection, if not the knowledge, of many circumstances, important to a just appreciation of the profligate conduct—it deserves no milder term—of the two great belligerent powers towards us has almost disappeared from the existing generation.

Many incidents of daily occurrence sufficiently evince the truth of this remark. I have scarcely found a single Frenchman who knows, or knowing would acknowledge, the magnitude and injustice of the warfare which the Imperial Decrees waged upon our commerce. And one may travel from Lille to Marseilles without meeting a single person who appears to have a true conception of the nature of our demand for indemnification for these outrages, which led to the famous treaty of 1831. If you explain in general terms to a well informed man the ground of our pressing instances for compensation, and by way of *argumentum ad hominem* remark, that in a report to the Emperor, made by the Minister of State, I think in 1811, the amount of those injuries for which it was admitted the French government was responsible was estimated at more than double the sum recognized by the treaty of indemnity—your auditor shrugs his shoulders, and does not believe a word you say,—but, by way of a *silent retort courteous*, he thinks all the harder that republics are ungrateful; and that a clearer proof of this well established political axiom cannot be found, than in the demand which the United States *trumped up* against France, after the aid they had received from her in the war of the Revolution. For my part, I wonder the treaty was ever negotiated; and after the negotiation, I wonder it was executed. And I believe the latter result is in a great degree to be attributed to the good faith and personal influence of the King. But to an illustration of the preceding remarks. I know a fellow countryman here, who had ordered some articles of furniture; but finding, when they were brought, that they were badly made, he declined receiving them. After the usual discussion upon these occasions, the indignant *fabricant*, rising in the majesty of his nationality, exclaimed: "This is very ungenerous treatment after France has given to your country 25,000,000 of francs."—'The powers of nature could no farther go!' I vouch to you for the substantial truth of this anecdote.

I had a conversation recently with Mr. Fry, the well known philanthropist, in which a similar ignorance was manifested respecting this very topic of impressment to which I have adverted. The characters of this good man and of his estimable wife are well known, and are so far public property as to exempt any allusion to them from the charge of indelicacy. They were recently in Paris, engaged, as they always are, in examining the causes and progress of human vice and misery, with the noble object of reclaiming the one, and of alleviating the other. It is a beautiful kind of self-devotion; but after all it seems to me, that these travelling crusades are the result of feeling,

Digitized by Google

rather than of reflection; and perhaps a little *worldly* ambition, an ambition of distinction, mingles with holier sentiments. There are few whose lot has been cast in such happy places, that they cannot find within the immediate circle of their usual labors, and where their usefulness would be the greatest, objects enough of human wretchedness to relieve, without going to the equator or the pole upon pilgrimages of benevolence. I recollect formerly, when surveying in the woods, that after taking sight at a distant object I was compelled to keep my eyes steadily upon it, in order to preserve my line, and this too in utter disregard of what was beneath my feet, at the expense of many a fall, and at the risk of my compass, almost as important to me as my neck. Some of our philanthropists, I am afraid, have in like manner such distant objects before them, upon which their regards are so steadily fixed, that they overlook many a stumbling block which lies across their route. Mr. Fry had discovered the mote in his neighbor's eye, if he had neglected the beam in his own. He had found in the United States evils enough for the care of the philanthropist; and among other subjects of anxiety, he pointed out the late increase of the slave trade, and expressed his wonder that our government had not acceded to the proposition of a mutual right of search, which England had offered, and which would tend so powerfully to check this infamous traffic. After explaining to him, that we were the first nation which had interdicted the use of its flag to this commerce, I told him, that this right of search, or this right of entering our vessels for one purpose, which might lead to another, was a subject to which many years of hard experience had rendered us very sensitive. That for a quarter of a century his government had arrogated the power and had exercised it too, in every ocean, sea, gulf, bay, or creek, on the face of the globe, where an English armed vessel found itself in contact with an unarmed American one, to send on board the latter one of its officers, who mustered the crew, and after saying to whom he pleased, "you are a British subject," carried off with him every one against whom he chose to pronounce this death knell of personal liberty; and there they remained in a foreign service, till death or a peace came to relieve them. And I recalled to him the cool metaphysics, far surpassing the subtlety of the old Aristotelian school, by which this conduct was defended. Driven to concede that the law of nations did not grant to a belligerent the right to enter a neutral vessel for the purpose of impressment, they happily discovered, that having a right to enter, for the purpose of ascertaining the character of the vessel, or of searching for contraband articles, when once on board for a lawful purpose, they might then look round them with other objects. Without evincing any unreasonable jealousy, I told him I thought we might very properly reject any proposition which would open, with our own consent, our merchant vessels to the English military marine. I might have added, that our true policy was indicated by the Scotch

Digitized by Google

emblem, the thistle, and the Scotch motto, "Noli me tangere"—expressively rendered by "Hands off!"

All this was new to Mr. Fry. He was perfectly conversant with black slavery in the United States, but the slavery of impressment in his own country had apparently scarcely attracted his regard; and certainly its operations upon our citizens, with all its horrors and perils, seemed to be unknown to him.

I trust, hereafter, the doctrine so generally proclaimed by the English statesmen, on the occasion of the seizure of the Mexican pilot, that the flag protects all who sail under it, will regulate the practice of England in her future intercourse with other nations. But should this just expectation fail, then we shall have but one measure to adopt, and that is a prompt and vigorous resistance. If the first man who is impressed from an American vessel be not demanded, with an instant preparation for the vindication of the national honor, and if the question which ought to be put to the British government, asking whether the conduct of its officer is approved, be not answered in the negative, accompanied by a release of the victim, without any of the delays or tergiversations of diplomacy, then if we do not seek the only redress which remains to us, by a declaration of war, and by a vigorous prosecution of it, we shall merit the contumely of the world as surely as we shall receive it.

But I must finish my task by presenting to your readers a few brief sketches of the other members of the royal family.

The Queen was a daughter of that King of Naples who was driven from his continental dominions by the French, and took refuge, with his family and court, in Sicily. Here the King, Louis Philippe, then poor and in exile, married her, and the match is understood to have been one of affection on both sides, and never has true affection been better rewarded. The thirtieth anniversary of their union has just expired, and they are at the summit of human power, with a most interesting family of seven children, and, as is known to everybody, with the warmest attachment to each other. In the bitterness of French political discussions—and bitter enough they are indeed—no whisper of calumny has ever been heard against the Queen; and one who could pass through this ordeal has nothing more to dread from human investigation. A kinder and more anxious mother is nowhere to be found; and she is a sincere believer in the Christian religion, and devout in the performance of its duties. Her charity is known throughout the country, and appeals for the distressed are never made to her in vain. In the performance of her regal duties, while her bearing is what the nature of her position requires, there is a kind affability which seems continually seeking to put all around her as much at their ease as possible.

The King's sister, the Princess Adelaide, forms a part of the royal family, and she is said to be one of the most devoted sisters that brother ever possessed. It would seem like panegyric were I to re-

Digitized by Google

peat to you the *golden opinions* which this elevated lady has won for herself. In the qualities of head and heart, all who know her award to her the meed of praise. Religious, charitable, exemplary, she is one of those who adorn high places by higher virtues.

A fact very honorable to all the parties has been recently mentioned in Galignani's Messenger; and as it contains a tribute to the worth of the King and Queen, I will communicate it to you, premising that I had the pleasure of a slight acquaintance with Lord William Bentinck, and that the truth of the anecdote has been asserted to me by *the best* authority.

Lord William Bentinck was a man highly endowed, and of great moral worth. During the long struggle which England maintained with France, he served in the British army, and commanded at one time the auxiliary detachment which was sent to aid the King of Naples in the defence of the Island of Sicily. I think he was there when the present King of the French was married. Subsequently he was appointed Governor General of India, and it was upon this occasion that appeared that splendid eulogium emanating from the genius of Lord Brougham, and which made a part of the history of the times —"a clearer head or sounder heart never went to India."

This gentleman was attacked in Paris with a violent disorder during the course of the last spring, which finally terminated in his death. Immediately before this fatal consummation, and in view of that event, he felt anxious to leave a written testimonial of his respect for the King and Queen, whom he had so long known. He wrote under these circumstances this dying sentiment—that he hoped the King and Queen would long live, he to govern France with wisdom, and to consolidate her institutions, and she to furnish to her countrywomen a pattern of female virtues for their example.

The Duke of Orleans, the eldest son of the King, and the heir of the monarchy, is now about 29 years of age. He is a young man above the middle statue, and of rather a slender form. But he is well made, and with a symmetrical figure, and he is one of the most graceful men I have ever seen. His countenance is remarkably handsome, and there is something very prepossessing in his whole appearance. He speaks English with great ease and fluency, and with very little foreign accent. In conversation he is ready and unassuming, evincing the general knowledge of a well educated man of the world. Having no direct constitutional position with reference to the administration of the government, he has evidently kept himself aside from the course of its operations, committing himself with none of the parties which are contending with each other for power. In all this, he displays great judgment and a profound knowledge of his countrymen. Every reader must recollect the dissensions which have existed in the English royal family, ever since the accession of the house of Brunswick to the throne, and the disastrous effects which these have

Digitized by Google

produced upon the parties themselves, as well as upon public men and measures. And similar scenes of internal discord have too often existed in other reigning families of Europe, where the ambition of the prince has overpowered the duties of the son, and a deplorable spectacle of filial disobedience and sometimes of parental harshness, has been offered to the public curiosity. But this state of feeling is unknown in the family of Louis Philippe. The heir of the throne has no wish to pluck the crown from the brows of the father. I believe he may say in all security as the conqueror of Agincourt said to his father:

> —"There is your crown,
> And he that wears the crown immortally
> Long guard it yours!"

There is no political *coterie* round the Prince Royal, seeking by present opposition to lay the foundation of future power. The whole family seems united in the bonds of common affection, and the example they thus offer is as refreshing to the philanthropist as it is useful to the country.

The Duke of Orleans has just returned from a long tour through the south-western and southern Departments of the kingdom to the French African possessions, and thence by Marseilles and Lyons to Paris. It is quite evident that the incidents of this journey have attracted public attention in an extraordinary degree; and that the whole conduct of the Duke of Orleans has been marked by great wisdom, and has drawn upon him the most unequivocal proofs of general approbation. He seems to have thrown himself upon the country, freely placing himself wherever he travelled, in contact with the whole community, receiving all, hearing all, and answering all. I cannot conceive a ruder trial to which the pretensions of a public man can be exposed, than is offered by the incidents of such a journey. Sumptuous receptions, civil and military, are everywhere prepared for him, and he must perform the principal part in a splendid pageant which meets him at every step of his progress. Then he must receive and answer all the addresses presented to him by public bodies and authorities, and by the various corporations of the trades which abound in France. And these do not appear to have been considered by their authors as mere testimonials of respect, but they contain substantial allegations, enumerating the griefs which press upon each, and generally asking the favorable interposition of the Prince for their consideration. Sometimes it is the operation of a general law which is condemned or invoked. Sometimes it is a local improvement deemed essential to the prosperity of a certain place. Sometimes it is a point of administration to which circumstances give particular importance. And to all these are to be added the numerous applications of individuals, each with rights to demand, or favors to request, or with wrongs to be redressed. And then come the military and

Digitized by Google

ecclesiastical authorities, with their congratulations, and the latter sometimes with their representations. And out of this the Prince has issued not merely untouched, but with a general and decided conviction that he has borne himself like a man of great tact and sagacity, and who will hereafter assume his position at the head of the state with the fairest prospects of future usefulness. I have read most of the Prince's answers, and I have been powerfully impressed with the great good sense, and knowledge of the world and of the subjects discussed, which they exhibit.

We have a countryman at Bordeaux, a respectable and intelligent man, Mr. Morton, highly esteemed by all his acquaintances, who has lived many years in France, and is perfectly conversant with its manners and language. He informed me that the effect of the Prince's visit to that city was visible and powerful, and that he had conciliated the good will of all who had approached him. He told me he had watched his whole conduct, and that it could not have been more discreet. And that his answers to the various addresses were not only happy, but many of them certainly delivered without premeditation.

The Duke of Orleans is in the army; and at the siege of Antwerp displayed that courage which seems to be the patrimony of his family. In Africa he commanded a portion of the army which has so recently and successfully carried the French arms beyond the difficult passes called the Iron Gates, which offered a barrier that Roman power could not pass. His return has been a triumphal procession.

The Duchess of Orleans is a Princess of Mecklenberg-Schwerin, and she has brought to her high station qualities eminently fitted to adorn it. She is tall, with a singularly expressive and attractive countenance, and a general deportment at once dignified and easy. Though she came to France a stranger and a Protestant, yet she has conducted herself with such exemplary propriety that all tongues are loud in her praise, and her husband is considered equally fortunate as a Prince and as a man, in the choice he has made.

The Duchess is well versed in English literature, and on one occasion, evincing to an American gentleman a wish to read the novels of Cooper, he asked her permission to lend them. They were returned shortly after, with a note written by a lady of the Court in the name of the Duchess, expressive of her gratification at their perusal, and conceived in terms so flattering that I should be afraid to repeat them lest I might wound the just susceptibility of our eminent novelist.

And while alluding to this circumstance, I am tempted to mention another anecdote I have heard, showing the very general knowledge of foreign literature possessed by the younger members of this family. One of our countrymen was dining at the Royal table, and was seated next to the Princess Clémentine. Some conversation arose, in the course of which the characters and incidents of several of the Ameri-

Digitized by Google

can travels were mentioned, and a point connected with them was stated, which our countryman was unable to resolve. The youngest son but one, just approaching manhood, was sitting on the other side of his sister; and hearing the debateable point at which the interlocutors had stopped, immediately took up the subject, and displaying a very accurate acquaintance with it, explained to the American a question connected with the literature of his own country which he had found himself unable to answer.

The four younger sons of the King are the Duc de Nemours, the Prince de Joinville, the Duc d'Aumale, and the Duc de Montpensier. The first is in the army, and has already given proofs of conduct and courage, which have drawn upon him the applause of his fellow-citizens, and excited their hopes. His personal bearing at the storming of Constantine is said to have been remarkable for self-possession and intrepidity. He is a young man with light hair and light complexion, slim and apparently slender in his form, but with a handsome face and polished manners; and these advantages are set off by a modesty of deportment which in any station of society, and at his time of life, would be highly creditable, and which is still more so in the position that he occupies. Those who know him speak very favorably of his endowments, and he has participated in that careful education which the King has deemed essential for all his children—an education not conducted in the seclusion of the domestic circle, but entrusted to the public institutions of the country, where all these young men have been brought into contact with youths of their own age, and where their faculties have been strengthened, and their minds disciplined, by the competition of their companions, and by the regulations of these establishments.

The Prince de Joinville is a Captain in the Navy, and is now in command of a frigate in the East. You have seen him in the United States, and I need, therefore, only say, that his subsequent conduct at Vera Cruz has confirmed the impression which his unpretending manners and his previous deportment had produced. There are very few feats in modern war which are more creditable to the assailants, in a military point of view, than that attack; and the Prince de Joinville bore his part in it with the greatest courage, and distinguished himself by the reckless disregard which he exhibited for his life in the perilous circumstances where his ardor led him.

The two remaining sons of the King are yet so young that it would not be proper to attempt to give any sketch of their characters or endowments. They are fine looking young men, with expressive countenances, and very prepossessing appearance, and I have already mentioned an instance which has shown the general information possessed by at least one of them. They are said to be both destined for the army.

While I am writing, the King has again placed himself in one of

Digitized by Google

those public processions, which custom renders necessary, and in which his life has so often been exposed to the stroke of the assassin. But this time, thanks to the precautions and vigilance of the police, or to the relaxation of political fanaticism, he has passed safely from his palace to the Chamber of Deputies, and returned, without the occurrence of one of those events which have heretofore marked the appearance of the monarch in the streets of the capital upon occasions previously designated for royal processions. But there was an imposing display of force; and the weather was boisterous and rainy—the latter circumstance being almost as efficient as the former, in preventing or repressing political movements in France. An incipient *émeute* was checked by the deceased Marshal Lobau in a manner equally humane and ludicrous. Instead of a battery of cannon, he caused the *Sapeurs-Pompiers*, who compose a corps with a military organization, but who are in fact firemen, to open a battery of water from their engines upon the assembled crowd, which cooled immediately their bellicose ardor, and stopped the progress of the tumult.

The Palace of the Tuilleries is on the north side of the Seine, and a short distance above the Chamber of Deputies, which is upon the opposite bank of the river. From one of these buildings to the other a hedge of soldiers, as a double line is technically called, is formed, having the National Guards on one side, and the troops of the line on the other. Between these move the King and his cortège, and all approach is interdicted, except to certain privileged persons, French or foreign. The route, after passing under the arch of the palace, follows the right bank of the river, shut in by the high wall of the gardens of the Tuilleries on one side, and by the stone parapet which borders the Seine on the other, to the Place de la Concorde, formerly the Place Louis Quinze,—afterwards the Place de la Revolution, and still later the Place Louis XVI., and destined perhaps again to change its name, even before its embellishments are completed. It is said to be the most magnificent square in Europe. Taste and wealth have combined to plan and to execute its decorations. It is bounded on one side by the river, and on the opposite by a range of beautiful buildings ornamented with arcades and columns in front, upon one of which, occupied by the Marine Department, is the Telegraph, that stationary messenger, which communicates orders, and receives information, to and from every part of the kingdom, with a celerity that almost annihilates the intervening space. The opposite sides of the square are open, one looking upon the Champs Elysées, and the other upon the garden of the Tuilleries. The centre is intersected by two large avenues, and the vista which each of these presents is truly magnificent. The palace of the Tuilleries terminates one view, and the eye, after passing along an avenue of trees, rests upon the central pavilion, rising like a tower above the main body of the building, and surmounted by the tri-colored flag—to the French

Digitized by Google

nation, the pledge of future victories, as it is a memorial of the past. The prospect in the other direction, at the distance of almost a mile, is shut in by the Arch of Triumph, commenced under Napoleon, and finished under Louis Philippe. It is copied from that class of monuments, commemorative of military glory, which yet survive the desolation of ancient Rome, such as the Arch of Septimius, and of Constantine; and which, while they convey to future eyes the memory of the great feats they record in almost living sculpture, are among the noblest embellishments with which a capital can be adorned. And though I have gazed with interest upon the chiselled stories of the military glories of the Eternal City, yet freshly told upon these indestructible records, and have yielded to the emotions which their association with the past cannot fail to inspire, upon the spot where they were erected and yet survive, still I have contemplated the Arch of Triumph, dedicated by the City of Paris to the military glories of the Revolution, with a livelier feeling, because the events and the names it records are better known to me, and surpass in moral effect and in renown even the great feats inscribed upon the Roman monuments.

This work is an immense column of stone, with a base perhaps of a hundred and fifty feet by eighty, and pierced by two transversal arches. Within and without, it is covered by carvings wrought with the chisel, all highly finished, some allegorical, and others representing triumphal processions; and besides these more prominent representations, there are the names of all the remarkable battles of the Revolution, and of the distinguished men whose memory is associated with them,—all but the Great Captain himself; and this omission is in good taste, for he needs no other memorial than the history of his life and actions.

Crossing the great avenue of Champs Elysées, in the centre of the Place de la Concorde, is a wide street, terminated at one end by the Church of the Madeleine, and at the other by the Chamber of Deputies, to which it leads over one of the magnificent bridges thrown across the Seine. This church is among the most splendid structures of modern times. It was commenced under the reign of Louis XV., and three-quarters of a century have been employed in its construction. Originally intended for a parish church, it underwent, in its destination, the same fluctuations which during many years marked the character of the institutions of France; but it is finally devoted to religious worship, to which I presume it will ere long be delivered.

This edifice is in the form of a Roman temple, surrounded by a portico of columns of the Corinthian order, springing from a basement elevated eight feet above the pavement of the street. The whole work, internal and external, is finished in the most exquisite manner; and so just are its proportions, that its true magnitude is only revealed to the spectator when he can compare one of its immense portions with some well known object; when he sees a solitary visiter, wan-

Digitized by Google

dering upon the basement, and passing behind one of the huge columns which give such an imposing grandeur to the edifice.

The tympanum of the pediment is admirably sculptured, representing the Last Judgment. Our Saviour is the principal figure, occupying the centre of the group, having on his right hand the righteous, and on his left the wicked, with ministering angels for justice and for mercy, and exhibiting the broken tombs which have given up their dead. But, without the slightest pretension to speak authoritatively upon a question of taste, and judging only by the effect which similar works, both of the pencil and the chisel, have produced upon me, I consider every effort to embody upon canvass or in stone the invisible objects of the Scriptures, or the allegories of the Pagan world, as a signal failure. They are subjects which should be left to faith and to the imagination; and which no artist can represent without exhibiting some incongruity, destroying at once all illusion, and leaving a painful impression upon the mind.

The Chamber of Deputies was formerly the palace of the Condé family, which has been prepared by successive changes for the purpose to which it is now appropriated. Its superb portico renders it a striking object from the Place de la Concorde; but instead of being an accessory, it is in fact the principal structure, a head out of just proportion to the body which supports it. The Legislative Chamber bears much resemblance to the Hall of our House of Representatives. It is somewhat smaller, and with the same acoustic defect in its organization, so that there is an indistinct prolongation of the sound, which renders it difficult to hear the speaker. The form is semi-circular, and the President's chair occupies the centre of the chord, while the seats of the members are arranged in front with a gradual elevation towards the rear, and separated by alleys radiating from the central point. The gallery is divided into *loges* or boxes, and entrance to it cannot be obtained without a ticket, which it is ofter difficult to procure.

In the centre of the Place de la Concorde rises the obelisk of Luxor, presented by the Pacha of Egypt to the government of France, and transported from the Banks of the Nile to the Seine. Like the other monuments of this description, it is a single pillar of reddish granite, and its four sides are carved with hieroglyphical figures, and with the representations of various animals, in the severe style which characterizes this school. Notwithstanding the hopes which have been held out of decyphering these imperishable records of a remote age, I doubt whether we ever shall succeed in revealing their hidden meaning. There is something so seductive in the expectation of piercing the darkness which rests upon the early Egyptian history, and of reading the life and actions of the Pharaohs upon their own monuments, that enthusiastic men have suffered themselves to be led away, probably far beyond the limits of possible discovery. Still,

Digitized by Google

however, these venerable relics are highly interesting; and though devoid of all ornament in their construction, and covered with sealed characters, they are perhaps the most impressive legacies which ancient art has bequeathed to us.

Upon the site where this obelisk has been erected stood the guillotine, during that terrible period of the Revolution when the accusation, the judgment, and the execution, of a suspected person, were almost simultaneous acts. Here the last King of the old monarchy expiated the faults of his predecessors, rather than his own, and died with the fortitude inspired by religious faith, after having exhibited during his life the virtues of a man, rather than the qualities of a sovereign.

Around the Place de la Concorde are pavilions of wrought stone, each crowned by a colossal female statue, dedicated to one of the principal cities of the kingdom. There are two circular rows of gas lights, the external issuing from bronze naval columns, highly decorated, and profusely gilt, and the internal from pillars smaller and more simple, but adorned in the same manner. During the night, when all these *reverbatoires* are lighted, a brilliant day reigns upon the Place, and the whole effect resembles the gorgeous descriptions in which eastern imaginations love to revel, rather than the comparative simplicity of European architecture. The carriage-ways are paved, but all the rest of the surface is covered, with that beautiful bitumen so admirably adapted to foot passengers.

There are two fountains, enclosed by stone parapets, with groups, in bronze, of Neptunes, Trions, and Naiads, and all the other aquatic powers, which the heathen mythology has transmitted to us, each bearing an appropriate instrument for pouring out the water. The whole work is not yet completed, but when the water is put into motion, the Gods and Goddesses will form a very respectable cataract.

Passing over a portion of the Place de la Concorde, the King with his suite crosses the bridge which unites it to the opposite bank, and reaches the Chamber of Deputies. His departure from the Tuilleries is announced by the firing of the cannon of the Invalides; and their discharges continue at intervals till the procession stops.

At this moment the aspect in the interior of the Legislative Hall is at once interesting and imposing. The usual seat of the President has disappeared, and given place to a magnificent *estrade*, or kind of stage, raised eight or nine feet above the floor of the room. This is covered with a carpet, and upon it are placed five ornamented seats, the centre one for the King, being a splendid gilt arm-chair, and two on the right and two on the left, for his sons, being rich *plians*, or stools without backs or arms. A magnificent canopy of red velvet surmounts this stage, beautifully decorated with tri-colored flags and with national emblems. On a seat immediately in front, but lower and facing the members, sit the Cabinet Ministers, who are now di-

Digitized by Google

vided among nine departments. These are, theForeign Affairs, Grace and Justice, the Minister of which is also the Keeper of the Seals, the Marine, the Finances, the Interior, War, Public Works, Public Instruction, and Commerce and Agriculture. Among the Ministers, Marshal Soult arrests the attention of the observer, as well by his military renown, as by his striking appearance, indicative of firmness, and of long and perilous service. He was wounded in the leg at the siege of Genoa, which has bent the limb, and rendered him somewhat lame. But he appears to be quite vigorous, and moves with much activity. There is something to me very interesting in his countenance, expressive of great benevolence, as well as of great character. The seal of history has stamped his fame as a warrior, and his military deeds belong to an age which has passed. He occupies in the estimation of his countrymen the next rank to Napoleon, and he has won his way to this distinction by a long life of services and perils. But he has other claims to regard. He has great natural sagacity and acuteness, and a career of half a century of exertion and observation has supplied any defects of a more early education. He is exceedingly well informed upon all topics presented to him for consideration, and I understand from those who are brought into contact with him, that they find him frank, ready, and displaying much general knowledge. I witnessed an incident, the last week, which exhibits the feeling of the Army towards this "*Old Glory*" of France. It was at the funeral of Admiral Truguet, whose house was opposite to the one I inhabit, so that from my window I looked down upon the door whence the procession issued. The deceased Admiral was the second officer of the Navy, and had distinguished himself by honorable services and by an irreproachable character, in a long career which continued three-fourths of a century. He had a peculiar claim to the regard of Americans, for he served with the French forces in the United States during the war of our Revolution, and was wounded at the siege of Savannah, where he saved the life of Count d'Estaing.

Under the Directory, he was Minister of Marine, and I have heard Sir Sidney Smith say, he filled that station when he (Sir Sidney) was confined in the Tower of the Temple. In our latter days of peace, these two old sailors, who had made war upon every sea, were living as very good neighbors, separated only by a partition wall.

The funeral of the Admiral was very impressive. The body was carried in an ornamented black car, followed by two persons bearing his *bâton* and coronet upon cushions, and by the mourners of the family. The military display was striking. Long columns of soldiers, on horseback and on foot, in full uniform, preceded and succeeded the hearse; and numerous carriages, of the King and of the eminent men of the country, completed the funeral cortège. You may judge of the effect, when I tell you, that more than one hundred musicians played solemn dirges, as this interesting procession passed

Digitized by Google

along the wide Boulevards of Paris. And thus he was carried to the cemetery of *Père la Chaise*, and laid in his last dwelling, where high and low, the chief and the follower, equally find their final resting place.

While the procession was passing the front of the house where the deceased Admiral had lived, I observed Marshal Soult at the door, waiting for his carriage. Some accident had delayed it, and he was thus kept a few minutes upon the pavement, while the soldiers were passing in front, and almost in contact with him. It was interesting to remark how steadfastly they gazed upon him. You could see elbow touch elbow, a kind of mystic recognition being thus conveyed from one to another, and every head turned much farther than was compatible with military etiquette, to watch the war-beaten and time-honored veteran. With officers and soldiers, the sentiment was obviously the same; nor do I believe there was one man, in that moving military mass, who did not feel prouder, as he passed this living memorial of national glory.

Below the Ministers in the Legislative Hall sit the Marshals of France. Of these Marshal Moncey, Duc de Cornegliano, and Marshal Soult, alone remain of the original creation by Napoleon, at the organization of the Empire in 1804. Three others, however, Victor, Duc de Bellune, McDonald, Duc de Tarente, and Oudinot, Duc de Reggio, are Imperial appointments, and the names of all are historically consecrated by great military talents and by high feats of arms. Marmont, Duc de Raguse, is self-expatriated, having followed the fortunes of the dethroned family. It is said, that Victor partakes the same political sentiments, though he has not deemed it necessary to sacrifice his country to this personal allegiance, which it is so difficult for an American to appreciate. I imagine he never appears in public ceremonies, being kept away by his political opinions, as Marshal Moncey is by his age and infirmities.

The Deputies are dressed in plain clothes, but the Peers wear a uniform costume, which consists of an embroidered coat, white pantaloons, sword, and chapeau. They are all crowded into the seats, at the expense of some personal comfort. As they enter, or pass and repass, they engage in apparently animated conversation, and it is then interesting to watch Mr. Guizot, Mr. Thiers, Count Molé, Mr. Berryer, Mr. Lamartine, and the other statesmen whose names are known in both hemispheres. The *loges* are filled with spectators, all carefully dressed, and the ladies are particularly brilliant. After some time, the Diplomatic Corps enter the *loge* in a body and take their seats, in grand costume, as richly habited as the tailor's art can make them. The Turkish Ambassador, with his frock coat and Fez cap, is a remarkable object in this group, looking as grave and solemn as though he were thinking of the departed glories of turbans and robes and *baboushes*.

Digitized by Google

Suddenly all eyes are turned towards the Royal box, and the simultaneous rising of Peers, Deputies, and spectators, and cries of "*Vive la Reine!*" announce the arrival of the Queen, with the Princesses and the ladies of their families. From this time, conversation is intermitted, or continued in a low tone of voice, while the general attention seems to watch the measured discharges of the cannon, that mark the progress of the Royal procession. At this moment an Usher of the Chamber enters, and proclaims with a loud voice, "The King." Instantly the whole assembly rises, and every look is directed to the door. The officer is followed by the great deputations of the two Chambers, which are always elected upon these occasions to receive and precede the King. At their head is the Chancellor of France, Baron Pasquier, dressed in a costume a little fantastic—a relic, I presume, of the olden time, or of the Imperial régime—I should think, from its appearance, of the former. He enters, holding his cap in his hand, and is succeeded by the deputations, the members of which proceed to take their proper places upon the floor of the hall. Then follow the aides-de-camp, all in full uniform; who ascend the steps of the *estrade*, and arrange themselves in the rear of the King and of his sons, where they stand during the ceremony. The King enters immediately after, wearing the uniform of the National Guard; and saluting the assembly, as he passes on, he proceeds to his seat upon the *estrade*. His appearance is hailed by repeated and cheering cries of "Vive le Roi!"—which he acknowledges by bowing to the assembly. He is followed by the Duke of Orleans and by his two youngest sons. They wear the uniforms of their respective grades in the Army. The Duc of Nemours is detained at home by sickness, and the Prince de Joinville is in command of a frigate upon the Mediterranean.

After reaching his place, the King requests the assembly to be seated, and he then covers himself with a large chapeau, ornamented with a white feather round the edge, and places himself on the armchair. His sons occupy their *plians* at his right and left.

He then reads his speech, with a clear voice and a distinct enunciation. From time to time acclamations arise, when any particular sentiment awakens the enthusiasm of the audience. After this is terminated, the Peers appointed, and the Deputies elected, since the last Session, are requested to take the oath before the King. For the Peers the oath is read by the Keeper of the Seals, and for the Deputies by the Minister of the Interior. Each member, as his name is called, rises, and extending his arm in a horizontal position in front, and with the palm downwards, repeats, "I swear it." The Keeper of the Seals then says: "In the name of the King we pronounce this Session opened."

The King, his sons, and his cortège, then retire as they arrived,

Digitized by Google

and the assembly immediately disperse. And thus passes away this pageant.

But another pageant has succeeded, more impressive in its attendant circumstances, and presenting characteristic features which render it peculiarly interesting to an American and a Protestant. Its whole impression upon me has been so new and strange, that you must excuse the digression which a brief description of it will occasion.

The Archbishop of Paris died a few days since, and he now lies at Notre Dame, embalmed, and exposed to the regards of all who may be led to survey this spectacle of mortality, either from motives of piety or of curiosity. Thousands upon thousands have flocked to this venerable Cathedral, within the last three days, to witness the ceremonies to which the exposition of the deceased prelate has given birth. You know this edifice is one of the earliest, as well as one of the noblest monuments of religious architecture, which the middle ages have bequeathed to modern times. There is to me something very imposing in the aspect of these old gothic temples, with their high pointed windows, their fretted carved work, and the peculiar style of their structure, which seems admirably adapted to the solemnity of religious worship. And then they are time-worn by centuries, and have been the theatres and the witnesses of many stirring events, recorded by history, and connected with the progress of human affairs. And you enter them from the business and bustle of a great city, and the transition is as striking as it is instantaneous. The trouble and confusion of the world are behind you, and silence and solitude around you. And their prodigious extent is in itself almost painful. Man is nothing when compared with his own work—and what is he then, when compared with the works of his Creator?

On reaching the Cathedral, I found a numerous crowd waiting their turn for admission. This was the third day since the remains of the Archbishop had lain in state, and during all that time a stream of people had poured into the great gates, and moved in procession across the vast nave to the little chapel where was the object of their homage, taken a last look at his pallid face, and retired to give place to their successors. Entering, out of my turn—for had I waited for that I might have wholly missed my object—I followed the crowd along the paved floor to a chapel near the opposite extremity of the building. Here a singular spectacle presented itself.

The chapel was hung with rich purple velvet, fringed with silver lace, and draped and canopied so as to produce the best effect. The floor was covered with the same material. Numerous wax lights were burning, and priests were in attendance performing the proper service.

In the middle of the chapel was a platform, ascended by steps, and elevated four feet above the pavement of the church. This was

Digitized by Google

covered with the same rich velvet, which also hung in festoons above it. And upon this was yet another structure, to which all eyes were directed.

I have told you the Archbishop had been embalmed, and here he was lying, amid all the pomp of religious worship, to receive the last sad salutations of the faithful of the Diocese. Here was the cold clay, fit companion only for the dead, thus exalted among the living. Here it lay upon the pontifical throne, clad in the episcopal robes, with a mitre upon its head, and a crosier at its feet, and the pastoral ring upon its finger; and while covered with the dignities of this world, a sad and solemn proof that these dignities are passing away.

And one by one, the pilgrims approached the chapel—cast a look upon the dead prelate—made the sign of the cross—and passed on. And night and day, masses had been said, and priests had been praying, and chanters had been singing, and all that could touch the heart or excite the imagination had found its place in this ceremonial. Bracelets and chains, and other ornaments, were lying upon a cushion, and they were taken up from time to time, and were then carried and touched to the dead feet, and after that, I suppose, they were returned to the owners, to be kept as relics hallowed by this contact with the remains of the lamented Archbishop.

But let us turn from this solemn ceremonial, devoted to the dead, and pursue our task among the living.

Existing circumstances lead me to advert to one regulation in the constitution of the Chamber of Deputies, which might be profitably adopted in the organization of our House of Representatives, and which certainly would be, if England could furnish a precedent for it. But unfortunately, and, if I may so say, unpatriotically, while we think for ourselves on every other subject which can employ the human intellect, and often with a boldness leaving behind it the cooler suggestions of experience, we seem to be enchained, as it were by a necromancer's wand within the magic circle of English precedents, whenever a legislative or judicial topic arises for consideration. As to seeking information from the opinions and practice of other nations, it is a procedure not to be anticipated. I have never entered the Hall of our House of Representatives, when that body was in session, without wishing that the Members of the English House of Commons had never adopted the custom of wearing their hats while in the performance of their duties; for in that event, I am sure no American legislator would have been bold enough to propose this practice, so injurious in its effect upon the dignity of the body, and which gives such an aspect of inattention to its proceedings.*

* The custom here complained of, as prevailing in our House of Representatives, has been of late years reformed—we presume, since the residence abroad of the author of these pages. An entire personal decorum, so far as regards *such* observances, now prevails in that hall—would that the compliment could be extended to a more general application.—Ed.

Digitized by Google

But to a more important suggestion. We have just learned that three days of the time of the legal session of Congress had passed away, and that the House of Representatives had not been organized. The anomalous position of the Clerk, with respect to the House, occupies a large portion of the discussion, and it seems difficult to define his powers or duties. What a rich field for discussion among a people so prone as we are to push every debateable point to its extreme limit! In the mean time, the farther progress of affairs has been arrested by the questions of the contested elections; and the *how* or *where* of the *dénouement* seems equally to baffle conjecture. I was asked, a day or two since, by a distinguished diplomatist, what was the meaning of the term "*Loco-Foco*" in our party politics. How, thought I to myself, is it possible that so local an epithet has travelled so far! But on my return home, the difficulty was solved, and I found that the *Journal des Débats*, that most unfair of all the periodicals of France, upon every topic connected with our country, had been reading its patrons a homily upon the critical condition of the United States, und upon the approaching downfall of its liberties. The temporary delay in the organization of the House had furnished the text, and the imagination and ill feeling of the writer had supplied the commentary. And truly he had manufactured a most respectable 'raw-head-and-bloody-bones' out of these little words, "*Loco-Foco*," frightful enough to terrify every friend of liberal opinions in the Eastern Hemisphere.

The importance attached in Europe to the annual Message of the President is not sufficiently estimated in the United States. It is a document which is anticipated with great anxiety and read with great interest. Steam is destroying space, and our country is advancing in wealth, power, and improvement, and its relations with the older nations are multiplying so rapidly, that a general desire is manifested to learn its progress and prospects—with some, in the hope that its career of political prosperity is approaching its termination; and with others in the hope, equally sincere, and far more liberal, that our experiment, as they term it, may be successful.

Under these circumstances the history of the proceedings of the first three days in the House of Representatives has been read with deep interest; and I suppose it is still travelling onwards to teach the inhabitants of Siberia the danger of that worst of all evils, the evil of self-government. It is singular enough, that just at this time last year, the intelligence to which I have already adverted, respecting the difficulty in the Legislature of Pennsylvania at Harrisburg, reached here, and the circumstances with which that occurrence was invested seemed, to an European, to give to it a peculiar character of gravity. But a similar state of things at Washington would arrest the attention of all Europe; and already the indications which have reached us are regarded as the flying clouds which precede and betoken the storm. I have learned, that at the annual diplomatic presentations, which took place a day or two since, the King remarked to our Minister, that the

President's Message had not yet arrived, and asked him the state of the question connected with the contested election; observing, with great good taste and good feeling, in allusion probably to the conversation of the preceeding year, that he did not believe any force would be called in to adjust it, but that it would be decided agreeably to the forms of the Constitution. A person who heard the conversation, informed me, that the Minister remarked, very much as he did on the former occasion, that in looking back upon our history it would be found that the suggestion of the King was fortified by numerous examples. That in the progress of our institutions, many questions had arisen, and had excited much warmth of feeling and lively discussion; but that they had all finally been peaceably resolved, and that little was hazarded in the prediction, that we should soon learn, the House of Representatives had completed its organization, and was calmly fulfilling its legislative functions.

But it seems to me, if all our Legislatures would adopt a very simple regulation which prevails at the opening of the Chamber of Deputies, much difficulty as well as profitless debate would be avoided—and that is, to require the oldest member to take the chair and preside until a Speaker is elected. Seniority of legislative service might be substituted for that of age, if it should be thought necessary to ensure to the presiding officer a competent share of experience. But in one mode or the other, a session would always quietly commence, and perplexing questions would be met by a house duly organized.*

Every American who understands the social and political constitution of his country must have little fear of any changes in our institutions resulting from popular violence. This is not a process suited to our modes of feeling and of action. We have much excitement indeed upon all public questions, great and small; but happily this finds ample space for exertion in our elections, in our deliberative bodies, and in our political meetings. In other countries, where these safety valves are unknown, or are too few, popular excitement manifests itself in violent explosions, which often lead to the most fatal consequences, and become revolutions or rebellions, as the issue favors one party or the other. When inflammatory extracts are copied from our journals into those of Europe, their tendency is judged

* The reader, familiar with the subject, will remark, however, that this suggestion would not reach the difficulty the occurrence of which suggests its recommendation;—for that was, which of the two competing sets of candidates should take part, by their votes, in the organization of the House, the set with the Governor's certificates, or the set with the evidence of the popular majority. As the admission of either, by deciding the doubtful majority of the body, might impress a decided character upon its organization and early proceedings, it was finally settled—(and certainly reasonably and rightfully)—that neither set should sit and vote, until the House thus formed independently of both determined which of the two was in truth entitled to the returns and to the seats in the first instance, until ejected by the application of the others as petitioning or contesting claimants.—Ed. D. R.

by the European rules, and we are supposed to be in a continued state of political commotion, and always upon the eve of a political movement. I wish we were more aware at home of the immense importance to the world of the example of self-government which is committed to us. I do not speak of its duration—that I trust and believe will continue for a long series of years—but of the warmth, and sometimes of the opposition to the laws, with which our political differences are accompanied. And though these give way immediately to calmer reflection and to habits of obedience, and almost always terminate without the effusion of blood, still on this side of the Atlantic the evil is seen, but not its antagonist advantage which ensures to us the blessings of a government equally free and secure.

Accident has just brought me into contact with an interesting man, approaching his ninetieth year, but with all the animation, and, I may almost add, the activity, of twenty-five. I could hardly believe the evidence of my own eyes, when I saw him start from his chair and dance over the room, as lightly as a boy, to give me, in all the gayety of his heart, a specimen of the green old age of a Frenchman. He is a physician, and has been brought by his profession to the acquaintance of many illustrious men, and by his *exalted* feelings to a participation in many of the most stirring events of the Revolution. I seemed to be gazing almost upon the Wandering Jew, when I heard him recount the circumstances of the admission of Voltaire and of Franklin to the Academy of Sciences, the highest honors known to French literature. He was present, and recollects the incidents as freshly as the events of to-day. He was the physician of Franklin, and dwells with peculiar delight upon his noble simplicity, and upon the high consideration which he, a foreigner and a republican, had acquired in France. He says that Franklin had determined to submit to a surgical operation, believing it was necessary to enable him to return to his native country, and that the hope of seeing again, and of dying in, the land of his birth, was his ruling passion, and the consoling anticipation amid the pain he suffered. Happily his old age was spared this rude trial.

Since the interview with my nonagenarian, I have felt better able to estimate the degree of excitement, and its consequences upon the whole views and habits of society, which accompanied the first explosion and the early progress of the Revolution. This man, member of a liberal profession, and an eminent member too, was already at a ripe age, when the great moral storm burst upon France. His narration, his declaration, his appearance, his animation, all show that he was a *patriote enragé*—as true a political fanatic as ever followed or guided in any of the scenes of the Revolution. And such he is to this day, in all his sentiments connected with the events or the men of that period; and such he will die. I listened with surprise, when I heard him denounce, as imbecile or dishonest, men whom history has recorded as the glories of their age and country. But

Digitized by Google

my moral sense was actually shocked, when he broke out into a eulogium upon Robespierre, to whom he attributed every virtue to be found in the Saint's Calendar. And I could not be deceived in the sincerity of his estimate of this great Arch-Priest of Infidelity and Murder, as all the accredited historians of the Revolution have painted him, and as we too have been taught to consider him in the United States. But if a man like my informant could be so excited, and could suffer his moral faculties to be so obscured, as to find, not merely a palliation, but a justification, for the deeds of blood which drew upon France the reprobation of the world, and convert the authors of those scenes into angels of light, it ought not to occasion surprise, that the great mass of French society have participated in the same sentiments, and co-operated in the same events. The old government must have been in the last stages of abuse, before the feelings of the people could have been roused to this point of *exaltation*, and their energies to the terrible trials they were destined to encounter. This friend of the *Savans* of the last century was one of the captors of the Bastile, and yet wears at his button-hole the decoration given to him by the Constituent Assembly for his conduct upon that occasion. And he is as proud of his deeds upon that first day of the triumph of popular violence, when the stronghold of despotism fell, as ever was Napoleon, or Wellington, or Soult, upon their greatest battle field.

He accompanied the crowd which repaired from Paris to Versailles to demand bread of the King, and which returned to the capital the next day leading prisoners, in fact, the monarch and his family. He marched at the head of the column, alongside of General Hulin, who commanded, as far indeed as any command could be exercised over such a multitude. He recounts with great readiness, and I doubt not with equal fidelity, the circumstances of that memorable expedition, which gave the death-blow to royalty in France. He was near the King and Queen, when they appeared in succession upon the balcony of the Palace of Versailles, and heard them avow their readiness to accompany their importunate visiters to Paris—the Queen resting one hand upon the shoulder of General Lafayette, and holding the Dauphin by the other.

He was present at the execution of Louis XVI., and within a few paces of the guillotine. He says the *Patriotes* of Marseilles formed a hedge along the Boulevards, between the ranks of which moved a common *berlin*, in which was the King, (with his confessor, the Abbé Edgeworth), Garat, the Minister of Justice, and some municipal officers. When the carriage reached its destination, the municipal officers and the Minister of Justice alighted first, and then were followed by the King, who after putting his feet upon the steps of the carriage returned to speak to his confessor. He then descended, and was taken possession of by the executioner, and the sad incidents which followed are now consigned to history. He distinctly heard the King,

Digitized by Google

when he addressed the immense crowd which filled all the vast square, where the scaffold had been erected. And he repeats the phrase word for word as it is recorded,* stopping at the fatal "*but*—" when the Commandant Santerre broke in, and exclaiming, "Don't let him speak!" instantly ordered the rolling of the drums which drowned the voice of the unfortunate monarch, and was the immediate prelude to the consummation of the great drama. I asked him particularly, what was the personal bearing of the King; and he assured me that it was dignified and collected, and that there was no appearance of fear in his conduct. He looked round upon the multitude with the calmness of religious resignation, and met his fate with composure.

In surveying the French national character at the present day, it is difficult to recognize those traits of cruelty which were so shockingly developed during the Revolution. A monomania must have prevailed, hurrying the nation into acts inconsistent with its general feeling, and marking that time of political effervescence as an extraordinary period in human history. You hear many facts of romantic interest recounted here depicting the features of those days; and as a conclusion to these desultory sketches, I will relate a short story I have just heard, not only because it is interesting, but because it is connected with the memory of Mr. Morris, our Minister at Paris when the Revolution broke out, and who was honored with the confidence of Louis XVI. It was told me by Mr. Le Ray de Chaumont, a most respectable man, well known in the United States, where he lived many years, highly estimated, and who now, in a fresh old age, having returned to France, enjoys the regard of an extensive circle of friends.

Count de F******, a general officer in the French army, commanded a division of the troops which were reviewed by Louis XVI, on the morning of the fatal 10th of August, 1792; and during the progress of that terrible day he was particularly distinguished by the courage he displayed in defending the Swiss, the peculiar objects of the vengeance of the Jacobins. He escaped the fate which so many others met on that occasion, and eluded the researches of his enemies by taking refuge with a statuary, where he hid himself behind the statues when he had no reason to apprehend the approach of any person who was seeking him. Here he remained till the 2d of September, a day ever memorable in the *fastes* of the Revolution, for the terrible butcheries which were perpetrated upon the prisoners in the various houses of detention in Paris. Two days previously domiciliary visits had been made in order to discover suspected persons, and

* The accounts of the last words uttered by the unhappy King at this fatal moment, here referred to, do not exactly agree, though substantially the same. As given in Carlyle's History of the French Revolution, they were as follows: "Frenchmen, I die innocent; it is from the Scaffold, and near appearing before God, that I tell you so. I pardon my enemies; I desire that France——" when his voice was interrupted and drowned by the roll of the drums at the command of Santerre.

Digitized by Google

those who escaped detection upon this occasion, thinking that the vigilance of the municipal authorities would be relaxed, were less careful in their precautions—a result probably anticipated and designed. General de F. considering his personal danger much diminished, repaired to the house of Mr. Morris, who was his intimate friend, and where Madame de F. was then living. Here, while sitting at dinner, and relieved from the painful anxiety which had so long pressed upon him, he was suddenly alarmed by the ringing of the *tocsin* and the beating of the *générale*. Mr. Morris was unwilling to despatch one of his own servants into the streets to ascertain the cause of these appalling signals, but Mr. Le Ray de Chaumont, who was at table, had a faithful servant belonging to the National Guard, and clad in its uniform, who could penetrate anywhere with safety; and he was sent out to collect and bring back the necessary information. He returned, after being almost compelled to join in the slaughter which was going on, and reported the events that were passing, and added, that he had seen several bodies of armed men, apparently in search of victims. The whole party immediately rose from table, and Mr. Morris told General de F. that it was necessary for him instantly to seek another place of refuge, as he felt sure there was a spy among his servants, who would give immediate information, and that his Hotel would then be searched; which circumstance might be attended with serious consequences to the relations between his country and France. He added, that he ought, if possible, to avoid all pretence for this violation of the immunity secured to him by the law of nations. General de F. fully coincided in this view, and felt the necessity of an immediate retreat. But having neither carriage nor servant at the house, and being withal rendered almost incapable of walking by the gout, he was exceedingly embarrassed as to the step he should take. Under these circumstances, Mr. Le Ray de Chaumont felt the situation of the gallant officer an appeal to his humanity, and offered to accompany him in search of protection. He then entered the cabinet of Mr. Morris, to burn some papers which were there, and which might have compromitted him; and was followed by Mr. Morris, who warned him of the danger he was about to encounter. However, his resolution was not to be shaken, and he left the house holding General de F. by one arm, while the servant held the other. They had advanced but a few steps, when they met a patrol, and the commanding officer, arresting the general, ordered him to accompany the guard, at the same time making a motion to separate Mr. Le Ray de Chaumont from his friend. The former, however, expressed his determination not to leave his companion, and the officer permitted him to remain, adding in a warning voice, that if he chose he might partake his fate. He then signified to the servant that his services were not wanted: but this faithful fellow, approaching his master, said he would not quit him, as he knew him to be a good citizen. Let us go

Digitized by Google

to the Abbaye, said the officer, and they took the route to that den of murder. Arrived near one of the alleys which lead to it, our little party was surrendered to a picquet of soldiers, and the commanding officer ordered one of them to take charge of the prisoners, and to conduct them to the prison. The alley was narrow, and was encumbered by several heaps of stone, so that two persons only could move abreast. The soldier preceded, holding the general by the arm, and Mr. Le Ray de Chaumont followed, with his servant. A few moments brought them within hearing of the cries uttered by the unfortunate victims of that night of horror. At this moment, the idea occurred to Mr. Le Ray de Chaumont to seize the sword of his servant, and then kill the soldier, and after that to endeavor to make their escape. While in the act of grasping the sword, the General stumbled, and the soldier, hastening to support him, testified his regret at the accident. Instantaneously struck by a kind of conviction, that the humanity of this man might be operated upon to induce him to favor their flight, Mr. Le Ray de Chaumont abandoned his first design, and addressing the soldier, said to him: "You show your good disposition to the General, and yet you are about to be the instrument of his death." The soldier shuddered. "Yes, of his death," continued Mr. Le Ray de Chaumont; "for it is not to a tribunal you are about to conduct him, but to a gang of murderers, who kill without trial and without distinction." "What can I do?" said the soldier. "Let us go back the way we came, and we will try to pass out, saying we have been acquitted." "Yes, but if they disbelieve you, I shall be executed as a traitor." "You can avoid any suspicion; follow us at some distance, and if we are arrested, hasten up and denounce us, as having escaped." This appeal was accompanied by a promise to pay the soldier three hundred francs, which he might receive the next day by calling upon Mr. Le Ray de Chaumont, or the American Minister, whom he knew. While the man hesitated, the servant recognized him, as having mounted guard at the door of his master, where was a *corps de garde*, and he joined his solicitations to those of the latter. Finally the soldier yielded, and General de F., attended by his two companions, hastened back to the picquet, with joyful countenances, the servant singing a patriotic song, "Allons, enfans de la patrie!"—and the others exclaiming, with loud voices, "*Vive la justice* for the good citizens!" In this manner they passed the guard unquestioned, most of whom were singing and intoxicated, and escaped the death which that night overtook so many others as innocent as they were. When the soldier called upon Mr. Morris the next morning for his present, which Mr. Le Ray de Chaumont had taken care to prepare for him, he expressed his gratification at the escape of the party, and the regret he should have experienced, if he had been the cause of the death of the General and his companions But he added, with that strange inconsistency which marked this

Digitized by Google

period, "as to those *Calotins*,"—so the priests were called—"nothing pleases me more than to get rid of them. I killed two of them last night with my own hands."

The subsequent fate of General de F. was melancholy and interesting. He left Paris and reached Boulogne, where, when he was upon the point of embarking for England to meet his wife, he was arrested and imprisoned to await his trial before the proper tribunal.

As soon as Madame de F. heard of this misfortune, she prevailed upon a person to seek an interview with her husband, and to take with him a small dagger and a purse of fifty guineas, with these words written upon a little piece of paper—"*stab or bribe.*" "I will do neither," promptly exclaimed the generous prisoner. "The soldier who has charge of me is a worthy man, and I will neither injure him, nor corrupt him. I will trust to the Tribunal, and hope for justice." In this instance—and a rare instance it was—he was not deceived. The Tribunal acquitted him; but when about to embark for England, he was apprehended by an order from Paris, transferred there, and perished upon the scaffold. The faithful servant was not forgotten. He was asked what he most desired; and answering, to be established in his native district, he was sent there, provided with what was necessary to support him in life.

At another time, however, Mr. Morris found himself compelled to enforce the inviolability of his mansion, and he took his measures with promptitude and decision. The Duchess de D**** had sought refuge in his house in the country; and while there, a party of the armed police came to seek and arrest her. But Mr. Morris refused to deliver her up, and claimed his right, as the American Minister, to be exempt from search. After much altercation, this point was yielded, and the police then called for the papers of the Minister. He refused them, and at length they said they would not remove them, but that they would put them under seal. Mr. Morris told them, if they did, he would tear off the seals in their presence, and throw the envelopes in their faces. And this strange scene actually took place, after which the party withdrew, unwilling to proceed to extremities. In the night the Duchess left the house, without the knowledge of Mr. Morris, to relieve him from the embarrassment of her presence.

She was soon, however, apprehended, and with a generous regard to the welfare of her daughter, she determined to destroy herself, in order that her fortune might not be confiscated, as it would have been had she suffered the sentence of the law. She made the effort, but was discovered before she was dead, and the wound was ultimately healed. And it is pleasant to record, in conclusion, that Mr. Morris interfered so efficaciously with the Committee of Public Safety that her life was spared.

Digitized by Google

EDITORIAL NOTE.

Few of its readers will probably be at a loss to designate the distinguished source from which the preceding interesting paper has been contributed to the pages of the Democratic Review; or will hesitate to recognize, not only in its style the elegant pen of its accomplished author, but also in its matter the opportunities of observation and knowledge which could only have been derived from high official position at the Court which it describes—accompanied with close relations of private intercourse with the eminent and remarkable individual who occupies the foreground of the picture here presented of that Court. Notwithstanding a few passages evidently moulded with a view to a modest *incognito*, by allusions to the supposed intervention of third parties as the avenues of information evidently direct from its original authentic sources, we shall be pardoned the expression of the remark which will suggest itself obviously to every reader, that the effort is but like the proverbial failure of the ostrich—though the head be hidden, the rich feathers which no other bird can furnish sufficiently betray the attempted concealment.

It is at the same time, however, due to the consistency of this work, to allude to the fact, that there are several passages within the course of the preceding pages, which it was not regarded as proper to omit or to change—the individual authorship of the whole being so transparent as it is—but which are not in exact harmony with the accustomed system of opinions and ideas which go to make up the plural editorial impersonality of this Review. These are not, indeed, of such importance as to constitute any objection to the publication of the Article in these pages, replete as it is with matter alike interesting, novel, and valuable, though they demand this passing allusion at our hand.

For example—we should feel very little disposed to say, in regard to England, that "her institutions need no false tinsel to set them off, nor her high personages any barbarous and antique officers, to shelter them from general observance, or to give them a factitious elevation." The "institutions" of England are in effect perhaps the most heartless and oppressive aristocracy that has even existed; and from their practical operation—the fruits of the tree—in the fearful disparity of social conditions they have produced, the boundless wealth and luxury of the few, and the unparallelled degradation of so many wretched millions, there are probably few of the most arbitrary despotisms that have existed whose "institutions" could not challenge a triumphant comparison with those of England. Neither with the "institutions" of England, nor with the "high personages" whom they elevate over

Digitized by Google

the necks of crushed millions, have we any sympathies. More than gradual and moderate meliorations are required for them—a deep and thorough revolution, though it should convulse the very foundations of its whole social system as at present constituted. The sooner the better.

And again—unbounded as is the author's eulogy of Louis Philippe, and persuasive as may be his defence of his government, against the deep dissatisfaction with which it has of late years come to be regarded, by at least the more enthusiastic and "*ultra*" portion of the modern liberal school of politics, we are by no means converted by it to the doctrine of *Louis-Philippeism*. We have to plead guilty to a little of that "*exaltation*" (to use the favorite word of *juste milieu* Conservatism) which, in construing the famous phrase of the "throne surrounded by republican institutions," participates in the disappointment which sent poor old Lafayette's gray hairs in sorrow to the grave, that the *throne* has become the primary, and the *republican institutions* but the secondary object, of the able individual whom that phrase has made the King of the French.

Without pretending to compare our means of forming a just opinion with those enjoyed by the distinguished friend from whose pen this Article has proceeded, it still appears plain to us that Louis Philippe is but a Bourbon at heart after all—the best of the blood, undoubtedly, and a man of rare ability, well cultivated and disciplined—and withal eminently exemplary in all the private relations of life—yet presenting in his person the most formidable obstacle that exists to the progress of that democratic cause of which we watch the history in Europe with scarcely less solicitude than in our own more favored land. The remark has been applied to him, not more acutely than justly, as it seems to us, that his extraordinary ability in maintaining his system of administration resembles but that of the rope dancer, who astonishes us by the dexterity with which he maintains his airy footing so far above the heads of the people beneath. But after all, *cui bono?*—what a waste of effort and "talent"—and how much more firmly could he stand on the solid ground below, were he not so ambitious of an elevation which is as useless as it is difficult and perilous!

We are too much accustomed, both from the instance of England, and even from examples to be found abundantly among ourselves, to the panic cries of conservatism, which are always raised by power against the heaving struggles of popular reform, to be deceived by the "raw-head-and-bloody-bones" which it seems to have been the object of the proceedings in the Chamber of Peers, above referred to, to conjure up—to frighten the people of France into forgetfulness of the promised "republican institutions," in clustering round the "throne" within the shadow of which they are taught to look for the only safety against the danger of a recurrence of the unforgotten horrors of the Revolution of 1789. The particular association which made the

Digitized by Google

feeble and abortive "*émeute*" of May, 1839, and of which the organization and principles are spread out in their murderous atrocity upon these proceedings, was evidently but one of those foul excrescences which are apt to grow out from the surface of a diseased body politic; and we are well assured that it is but of a piece with the false sophistry which arbitrary authority always employs, to generalize from such special facts, and to impute similar principles and objects to the great mass of that party of opposition whose discontent requires to be incessantly kept on foot at the capital, in the words of the preceding paper, an army *sufficient for the conquest of a kingdom.* The horrors of the French Revolution are mainly ascribable to the awful accumulation of wretchedness and moral evil which previous centuries of misgovernment had heaped up—the great reaction of an equally great previous action in the opposite direction; together with the phrensy of panic into which the Revolutionary party, which was *the People*, was from time to time thrown by the constant danger of overthrow, from the bayonets of all Europe without, and the deadly treachery of a strong party within—an overthrow to be succeeded by a fearful expiation in blood of all that had been done, and by the re-establishment of the old system which well deserved the deep detestation with which its memory was regarded. Dark as may be the evidences written on the page of history against the old monarchical and aristocratic régime of France, in the records of blood, famine, degradation, and vice, in which they are written, the most dark and damning against it are the atrocities themselves of the Revolution by which it was overthrown, and which were only its natural consequences of reaction.

But of these there can be no possibility now of a recurrence; and after the strong and pervading working, for half a century, of that principle of *personal human equality* which it was the chief mission of the great shock of that Revolution to establish in the popular mind in France—together with the beneficial effects of the peace enjoyed by the people during the latter half of that period—we incline strongly to the belief, that a republic not less free than our own might be reconstituted in France to-morrow with entire safety, stability, and comparative tranquility. This would be an immense step in the progress, in Europe, of that holy Democratic Principle which has our most devout prayers for its success, however remote and unimportant the section of the globe on which is waged the fight of "the good old cause." Louis Philippe, with his future dynasty behind him, now blocks the way of that progress. God forbid that we should throw into the scale in his favor the influence of any such expression of sympathy, though in a tacit form, as should seem to wear the appearance of being the voice of approving American Democracy! If any of the young Bonapartes or any one else, are worthy of that mission, and equal to it, of establishing in France that Republic which we hope to see flourishing in young vigor and beauty before we shall de-

Digitized by Google

part, we would on the contrary, and with most earnest sincerity, bid them, God speed! Such, too, we presume, in view of such a consummation, would be the sentiment of the valued friend who has communicated to the Democratic Review the preceding paper—though we think it necessary, for the purpose of avoiding probable misconstruction and misapplication of it, thus to give the sentiment a distinct and emphatic expression.

SKETCHES OVER THE SEA.

No. V.

FINLAND.

The sun was just setting when the shores of Sweden faded from our sight. For the last time, I saw her coasts, traced in a dark outline against the glowing sky; and I then lost them in the gray of the twilight, below the mass of waters of the Bothnian Gulf, which lay behind us.

Since the morning, we had come down in the steamer, through the groups of islands between Stockholm and the sea, and were now steering across the gulf, in the direction of Abo. The day had been like one of our early autumn—the air clear—the sun diffusing a steady and moderate warmth—rolls of silvery clouds hanging motionless around the horizon—the wind still—and the sea as smooth as glass.

And then there was as brilliant a sunset as ever lighted up the west. A long line of golden light settled upon the western clouds, and covered them with rich hues in succession, from the brightest to the pale and leaden, into which they all at last faded. It reminded me, more than any others that I saw, over the sea, of the glorious sunsets of New England.

Before the land had quite disappeared astern, we had glimpses before us of the Aland Islands. First a thin column of smoke, from a fire on one of them, hung in the eastern sky, resting lazily on the motionless air, and then the outline of the land grew more and more distinct. Finally the whole shore came into sight, and by the time the sun went down, we were coasting along the principal island, Aland itself.

This was the first land we saw in the Russian dominions—the westernmost point of that vast empire, which stretches hence through more than a hundred and fifty degrees of longitude. A hundred nations—men of all the races, save one—are embraced within the

Digitized by Google

limits of this enormous power; which, taking it altogether, in its history and its relations, is the mightiest and the worthiest of study, of all the absolute monarchies, since the days of Imperial Rome. Is it not a sublime thought, that the vast multitudes which people these shores, and thence to the Pacific Ocean, are swayed by a single will —that these millions of hearts beat with the pulse of one!

Night soon closed in upon us. In the morning, we were running among numberless small islands. The Aland group stretches to Abo, and consist principally of an infinitude of islets, like those which lie on the other side of the gulf. The map gives no adequate idea of them. They cover half the sea, and are so disposed, that the waters through which we glided seemed more like the waters of a bay or a river, than of the sea—now receding so as to leave a wide, ample bay, and then closing so nearly, as to make the passage narrow as a river or inlet.

The weather and the scene were so inviting that most of the passengers assembled on deck. There were some thirty in all—most of them Finns—two Swedes—an Italian fencing master, settled at Helsingfors—a school-mistress from the same town, just returning from Paris, with a young *Parisienne*, whom she had brought with her to teach French in Finland. All were delighted with the rapidly shifting scenes, through which we were passing—all, but the young Parisienne. She shrugged her shoulders, and thought of Paris—she could only think, that any other place would be one of exile for her.

At one o'clock Abo was in sight. The first living beings we saw were Russian sentinels, pacing to and fro, on a point of land, which stretches out in advance of the town. They were dark men, of small stature, probably Finns, dressed in long, gray cloaks, strapped around their waists.

There was little else in Abo to mark the change from one people to another. The transition was easy. There are no striking contrasts—but on the contrary a general resemblance in the dress, appearance, and manners, of the Finns and the Swedes. Two or three things only, besides the Russian soldiers, struck me, and these were the Russian colors, and the size of the public buildings. In these last, there were evidences of a great and opulent government, somewhat in contrast with the economical, not to say parsimonious government on the other side of the gulf. A great part of this town was burned not long ago; and the new town, which has risen upon the ruins of the old, bears evident marks of Russian origin or design—wide streets and large and commodious public buildings. The Russian colors, a treble band of different colors—white and black, edged with purple—are painted in a spiral form around the posts or bars, before the public buildings and offices.

Until the transfer of Finland to Russia, Abo was its capital. Since then Helsingfors has taken its place. But Abo is nevertheless a town

Digitized by Google

of considerable, though diminished, importance, and is the chief city of one of the three governments, into which Finland is now divided When the sovereign power lay westward, and the orders came from Stockholm, Abo was the more convenient capital; but since the power has been changed to the opposite quarter, the same reason no longer exists, and Helsingfors is more central and nearer to St. Petersburg.

The first thing to be done was to get our passports—the second to purchase vehicles for the journey. Our old passports were of no farther use. New ones were given us, to serve as far as Helsingfors. The vehicles were not so easily got. The common carts of the country were out of the question—we could scarcely have lived in one of them to St. Petersburg. The only chance for travellers at that time (for the line of steamers up the gulf of Finland was not then established,) was to find some of the vehicles, which had been left at Abo, by travellers coming from St. Petersburg. We searched long for something suitable, and finally hit upon a light britska and a wagon. The former was sufficient for the five gentlemen, without any luggage, and this might follow in the wagon, under the charge of a servant.

Thus provided, we set off the next morning. After everything was ready, the horses brought to the door, and some of us already in the britska, an old man, some fifty years old, came out of the inn with a little bundle in his hand, and besought us to take him. He had just come on, as a servant, with some travellers from St. Petersburg, and wished to return. He was willing to serve us at a very cheap rate, if we would but take him. At first we refused, but he begged so hard that, finally thinking he might be useful as an interpreter, we told him to get into the wagon.

The word was given to the postillion, and away we flew. Though the roads were at first a little sandy, we were driven very fast. The Finnish horses are very small, but very fleet. The postillions give them no breath, and no time is lost at the post-houses. The horses were always ready and often brought up by the time we had reached the door. Not a moment was lost in changing; I wrote my name, place of departure, and of destination, and the number of horses in the day-book, and we drove on, up hill and down, never stopping to the end of the stage.

Our plan of travelling was arranged thus: We drove on in the britska as fast as possible, changed horses without waiting, ordered horses for the wagon, and left the servants to pay the postillions, and follow us as closely as they could. Sometimes we lost sight of them for two or three stages.

The face of the country resembles a good deal that on the other

Digitized by Google

side of the gulf. Finland looked to me at first like Sweden in miniature, and the impressions of to-day were confirmed afterwards. The surface is very uneven, or broken into small rocky hills. The quantity of rocks and stones is almost incredible. The trees are chiefly stunted pines—which bristle on the hills, and stretch away in deep, interminable forests. Lakes innumerable rest between the hills. The tillage is confined to the valleys, which at this time were smiling with grass and corn. The habitations, with few exceptions, are mean —small unpainted log dwellings.

Notwithstanding their political separation, the Swedes and Finns have much more in common, than the Finns and Moscovites. Old alliances, sympathies long felt, resist a great while arbitrary political arrangements. That the hand may be transferred without the heart is scarcely less true of nations, than of individuals. Finland has been an unquiet province ever since its cession to the Czar. Not that the strong dislike, approaching to hatred, which is felt in Sweden towards Russia, is felt with the same force in Finland. There the old grudge, growing out of ancient wars, and the fierce struggle for dominion on the shores of the Baltic, the deep wound which the national pride received in the loss of this province of Finland, and perhaps above all the conviction that their own descending star is every day paling before the ascending star of the great empire, have created deep exasperation and jealousy. Here the last of these causes cease to operate; but the heart nevertheless still continues to turn westward, to the setting rather than the rising star.

It was twilight when we stopped at Bjorsby, a hamlet a hundred and six versts from Abo. Here an inn of the better class gave us promise of comfortable fare, and decided us to pass the night.

One often finds a remembrancer of home, where he least expects it. Bjorsby was the last place where I should have expected it. But, on being shown into my bed-room, I found, hanging under the mirror, two engraved portraits, one of "Lord Howe, commander-in-chief of his Majesty's fleets in America"—the other of "Admiral Hopkins, commandeur-en-chef de la flotte Americaine des XIII Provinces." How did these two pictures—one evidently of English and the other of French origin, and both as old as the revolution, find their way together to this little, secluded, obscure hamlet of Bjorsby?

The next morning a carpet-bag was missing. Whether it had been lost on the way, during the last stage, or had been stolen in the night, no one could tell, except that John, our new interpreter, declared he had seen it after our arrival at Bjorsby. It was resolved forthwith to send for a police officer. In half an hour the little man made his appearance, and bustled about with a very important air, putting questions,

Digitized by Google

and taking notes; when all of a sudden there was a shout, and a peasant rode up, as fast as he could ride, with the lost bag. He said he had found it by the road-side; but we were by no means sure that it had not been stolen, and prudently returned, when it was missed, and such a noise was made about it.

The journey from Abo to St. Petersburg took six days, including one on which we lay by at Helsingfors. The second day we were delayed several hours by reason of an accident to one of the wheels. Nobody could be found of sufficient skill to mend it properly. We were able only to patch it up, so as to last to Helsingfors.

While the work was going on, I strolled down to a little lake, hard by—a pure transparent sheet of water—with a fringe of green along its margin, and a belt of forest behind, which hemmed in and shaded it. It was a lonely and beautiful spot, and set me to thinking of lonely and beautiful scenes at home.

Long before we reached Helsingfors, conversation had ceased, and we were all nodding in concert. It was two o'clock in the morning when we entered the town.

The next morning the wheel was found to be so much injured, as to require a day, to give it a thorough repair. In no part of Finland could delay have been less annoying to us. The town itself has no inconsiderable attractions in its situation, its university and public buildings; and then there is before it an ample and beautiful bay, looking out upon the gulf of Finland, and the stern old fortress of Sveaborg at its entrance.

In the course of the morning, we took a boat and sailed down the bay to the fortress. It is built on islands of rock, and to my eye appeared impregnable. Well it deserves the name it sometimes bears of the Gibraltar of the north. How it could ever have been taken in fair fight I cannot conceive. Indeed it is more than whispered, that it was lost to the Swedes by treachery.

In the town, the government is building a large and handsome church, on the great square. From the top of this church is a wide and charming view of the town, the islands, and the sea. There was little life in the streets, and no bustle in the port. A provincial capital, designed upon a large scale, with some fine buildings, an aspect of newness, but dull, lifeless, without any considerable trade by land or sea; such is Helsingfors.

During our day's delay, the wheel had been thoroughly repaired, so as to give us no farther trouble. The roads now became hard and smooth, and we were whirled along with prodigious rapidity. What postillions! Boys—barefooted, and sometimes bareheaded—or old men, with long, uncut hair, and loose linen trousers, tucked

Digitized by Google

into the tops of their boots. There could not be a stronger contrast than between them, and the trim, well-dressed English postillion, or the French, half-hidden in his jack boots. But they drove as fast, and served our purpose as well.

John proved a character—he was glorious the whole journey, half the day drunk, and the rest of it eating and drinking. It was difficult to tell which of the two appetites, hunger or thirst, predominated in his composition. At Helsingfors all were ready to start—but he was missing. At last he was found in the kitchen, eating his third breakfast; and great were his complaints, that he was dragged away, before he had satisfied his hunger. Bless me, how he talked to the peasants—enlarging chiefly, as we were given to understand, upon the rank and qualities of his new masters, and the large allowance of drink-money the postillions would receive, if they drove us like princes. It was laughable beyond description, to see with what interest and wonder the peasants listened to all he said.

At Fredericksham, where is an inland fortress of great strength, we stopped for the night; having passed through in the course of the day two towns of some importance formerly, Borgo and Lovisa, but both now greatly decayed.

The next day's journey ended at Viborg. Here Finland proper may be said to end. Near this town, the road turns south. That point, in the latitude of sixty-one, was the highest we reached. Although it was only four o'clock, when we arrived at Viborg, the delay occasioned by our passports, which had here again to be renewed, rendered it necessary for us to wait till the next day.

The person, who renewed our passports, and who, I suppose, was the Governor's secretary, was a Russian officer. He spoke to us in German. I afterwards found that the German was very much studied and spoken in Russia. The inhabitants of the Baltic provinces are, many of them, of German descent; the intercourse between the Empire and Germany is very great, and a knowledge of the German language is a very common accomplishment of a Russian gentleman.

Viborg is another fortified town. Before the conquest of Finland, it was a frontier post, and one of the defences of the capital itself.

From Viborg the aspect of the country changes, and so does the appearance of the people. The rocks become fewer, and finally disappear. The roads become so sandy, that a pavement has been laid most of the way to St. Petersburg. But such a pavement! large, round, unequal stones, which jolt one nearly out of his senses.

Digitized by Google

The postillion now wore a long frock, and a broad slouched hat. Then came the Russian serf—with his long beard—thick matted hair—and cloak of sheep-skin, the wool turned inwards. Here were the real Moscovites, the colonists from the south, who followed the conquests of Peter, and overspread Ingria. Next we drove into a Russian village—two rows of log cabins, one on each side of the road—the ends towards it. Around these cabins were groups of dirty, half-naked children playing: and the post-house was beset by beggars.

The road passes over some high hills, from which Lake Ladoga was seen on the left, and before us a little on the right the broad sheet of the gulf of Finland. To the south and east an immense plain stretched away till it was blended with the horizon. The only things I could discover in it, were the thick, black, pine forests. My eye searched in vain for some indication of St. Petersburg. Though I could see even the island of Cronstadt, I could not catch a glimpse of spire or tower in the great capital. This plain is almost illimitable. Indeed European Russia may be said to be a vast prairie or steppe, stretching from Ingria to the Euxine.

Once on the road, about thirty miles from St. Petersburg, a cloud of dust before us betokened the approach of a large party. As they came nearer we saw their spears glistening in the sun. It proved to be a party of Cossacks, going north into Finland. Some of them were walking beside their horses, their spears being fastened in the saddle and stirrup. They were moving very leisurely, and with the most careless air imaginable. Their horses were small, but well formed, and firmly knit together.

Everything now betokened our approach to a large city—better houses by the road-side—loaded wagons—and a greater number of travellers on the road. The roughness of the pavement retarded our progress, and night closed in upon us, before we entered the gates of the city. A little before ten o'clock we were driving through lighted streets. Shortly the tramp of the horses on the wooden floors of bridges—the broad, dark stream beneath—the lights along the Neva—the walls of the Imperial palace—the great square of the Admiralty—and the statue of Peter—all which we passed rapidly—made me sensible of my presence in the residence of the Czars.

Digitized by Google

BACON'S REBELLION.*

PART SECOND.†

THUS at last provided with due legal authority, after making active dispositions for the safety of the country against small prowling bands, Bacon lost no time in setting out on his expedition. Scarcely, however, had he reached the head of the York River, when the intelligence overtook him, that the Governor had retired to Gloucester County, where a number of the planters were better affected towards his cause; and had issued a proclamation, again declaring Bacon a rebel and traitor, and commanding his followers to deliver him up, and themselves disperse, under all the pains and penalties of treason; that he had raised the royal standard, and was collecting troops to pursue the Indian expedition. This strange news, says Mrs. Cotton, put them shrewdly to their trumps. "It rent him to the heart (as he said) to think, that while he was a hunting Wolves, tygers, and bears, which daly destroyed our harmless and innosscent Lambs, that hee, and those with him, should be persewed in the reare with a full cry, as more savage beasts." After a short consultation with his officers, he promptly countermarched his army, about five hundred in number, back to the Middle Plantation (Williamsburg), doubtless with the determination of putting an effectual end to the treachery and hostility of the Governor, by deposing him and seizing his person. Sir William had no strength, however, with which to maintain the stand he had ventured to assume. The militia of Gloucester and Middlesex, whom he had assembled, to the number, it is stated, of twelve hundred men, refused to adopt his quarrel; for such was the universal enthusiasm with which the daring and gallant young popular leader was regarded, that, as we are told, on the Governor's proposition to them to follow and suppress the rebel and traitor, "thereupon arose a murmuring before his face, Bacon, Bacon, Bacon, and all walked out of the field, muttering as they went, Bacon, Bacon, Bacon, leaving the Governor and those that came with him to themselves." The latter accordingly withdrew across the Chesapeake, and sought a refuge on the coast of Accomac.

Though subject to the government of the main Colony of Virginia,

---

* Tracts and other papers relating principally to the origin, settlement, and progress of the Colonies in North America, from the discovery of the country to the year 1776, collected by Peter Force. 2 vols. Washington.

† See Democratic Review for March, 1840, No. XXVII, page 243.

Digitized by Google

Accomac was nominally a distinct territory. Bacon did not hesitate, therefore, to avail himself of the opportunity afforded him by the Governor's withdrawal from the proper limits of his province, to take entire possession of the government. To justify his proceedings by the sanction of the aggregate public will of the country, he called* a convention of all the leading men in the colony, which met on the third of August, at the Middle Plantation. This body having pronounced the government vacated by the abdication of Sir William Berkeley, and having expressed a strong displeasure at the hostile attempts made by "evil disposed persons" against the forces raised by the country against the Indians, whose object was stated to be, "purposely to ferment and stir up civil war, to the ruin of his majesty's country," Bacon issued writs for the election of a new Assembly, to meet on the fourth of September, signed by himself and four members of the Council. He prevailed, too, on the Convention to put forth a public declaration and oath, to the effect that they would support him and the army against all hostile designs, both of the common foe, and of civil enemies; and even against any forces that might be sent out from the mother country, on the false and one-sided representations which it was known had been addressed to the home government by Sir William Berkeley, until such time as the King should be fully informed of the true state of the case by such persons as should be sent out by the General in behalf of the people, and until his decision thereupon should be remitted to the Colony—the Convention declaring, that they believe in their consciences that such a course "consists with the welfare of the country, and with our allegiance to his most sacred majesty."

---

* The following summary of the reply made by Bacon, in this call, to the Governor's proclamation, is given by Mrs. Cotton:

"First, whether persons wholy devoted to the King and country, haters of sinester and by-respects, adventuring lives and fortunes, to kill and destroy all in Arms against King and countrey; that never ploted, contrived, or indevioured the destruction, detryement, or wrong of any of his Majesties subjects, their lives, fortunes, or estates, can desurve the names of Rebells and Traters: secondly, he cites his owne and soulders peacesable behaviour, calling the wholl countrey to witness against him if they can; hee upbrades som in authorety with the meaneness of there parts, others now rich with the meaneness of there estates when they came into the countrey, and questions by what just ways they have obtained there welth; whether they have not bin the spunges that hath suck'd up the publick tresury: Questions what arts, sciences, schools of Learning, or manufactorys, have bin promoted in authority: Justefyse his adversion, in generall against the Indians; upbrades the Governour for manetaneing there quarill, though never so unjust, against the Christians rights; his refuseing to admit an English mans oath against an Indian, when that Indians bare word should be accepted of against an Englishman: sath sumthing against ye Governour concerning the Beaver trade, as not in his power to dispose of to his owne proffit, it being a Monopeley of the crowne; Questions wether the Traders at the heads of the Rivers being his Facters, do not buy and sell the blood of there brethren and country men, by furnishing the Indians with Pouder, shott, and Fire Arms, contrary to the Laws of the Collony: He araignes one collonell Cowells assertion, for saying that the English are bound to protect the Indians, to the hassard of there blood. And so concludes with an Appeale to the King and Parliament, where he doubts not but that his and the Peoples cause will be impartially heard."

Digitized by Google

Bold as was the last feature of this declaration, approaching more nearly than any previous act of the people to positive treason, yet is it manifest that it was not stronger than the occasion both justified and demanded. He experienced great difficulty in prevailing upon the Convention to adopt it, threatening to lay down his commission, and to leave them to find other servants to do the country's work, if they should refuse—

—"For, says he, it is to be considered that Sir William hath already proclaimed me a Rebell, and it is not unknowne to himselfe that I both can and shall charge him with no less than treason. And it is not onely myself that must and is concerned in what shall be charged against him: But severall gentlemen in the countrey besides; who now are, and ever will be against his intress, and of those that shall adhere to his illegal proseedings, of which he being more than ordinarily insensible, it cannot in common reason be otherways conceved but that he, being assisted by those forces now imployed, that they shall not be wholly imployed to the destruction of all those capeable to fram an accusation against him, to his sacred Majesty. Neather can it be reasonably apprehended, that he will ever condescend to any friendly accommodation with those that shall subscribe to all, or any part of this ingagement, unless such or such persons shall be surrendered up to his marcy to be proseeded against as he shall see fitt: and then how many, or few, those may be, whom he shall make choice of to be sent into the tother world that he may be rid of his feares in this, may be left to consideration."

Their feud with Sir William, to whom they no longer accorded the title of Governor, had now plainly proceeded to such a point that to have submitted again to his authority, re-established by military force, without an opportunity of a fair representation to their common paramount sovereign of all the true merits of the case, would have been, to all concerned in the late movements, an act of suicidal madness; so as to justify them in even resisting that sovereign's arms, till time could be afforded them to disabuse him of that erroneous information which would probably have prompted the direction of them against the people of the Colony. Their intention appears to have been, in that event—then regarded as very probable—not so much to oppose an active, hostile resistance to the troops which might be sent out from England, as to maintain a posture of quiet defence, retiring inland to the wilderness, if necessary, till the ultimate royal decision could be known. The ample reason which Bacon and his friends had, to dread the despotic and ruthless revenge which was all they had to anticipate at the hands of the Governor, if they should once allow him to recover the authority they had wrested from him—at least before they should have time and opportunity to throw themselves and their cause upon the protection of the home government—is sufficiently attested by the bloody sequel of the whole affair.

Thus established firmly in his position, after disarming, or exacting pledges from, those persons from whom he had anything to apprehend, Bacon at last found himself free to proceed on his Indian campaign; which resulted in the full gratification of those expectations, from his known skill and bold enterprise, which had set the hearts of the people

Digitized by Google

so strongly on him as their leader. After ravaging the towns of the principal tribes—now again, as of old, confederated against the Colony—he attacked their main force strongly posted in a palisadoed fort, on an eminence forming the margin of a small stream which emptied into Shocco Creek, at a short distance from a plantation of his own. Animated by his spirit and example, the Virginians carried the fort by storm, and a desperate slaughter of the enemy ensued. A great number of captives were taken, and the force and hopes of the Indians in this quarter were for ever broken down. The scene of this battle is still marked by the traditionary name of the "Bloody Run."

In the mean time, however, Sir William had not been idle. He was but coldly received by the people of Accomac, who advanced complaints and demands of a similar general character to those of the popular party in the other portions of the Province. Nor were all his fair promises, and appeals to their loyal duty, of much avail, until a lucky accident occurred to give a favorable impulse, and turn the tide of fortune in his affairs. This was the capture, by a boldly executed midnight surprise, of the naval force which had been sent by Bacon, under the command of a Captain Carver and Mr. Giles Bland, to cruise off the shores of Accomac, to intercept supplies to Sir William, as well as any attempt of his own to recross the bay. This was executed by a partisan of the old Governor, Phillip Ludwell, in concert with a Captain Larimore, the former commander of the ship which, with two or three small vessels, composed the naval force in question. Thus master of the water, Sir William (whose first act was summarily to hang Carver, a "valiant man and stout seaman,") was soon able to raise a large force. Attracted by the tempting prospect of the confiscation and plunder of the estates of Bacon's adherents, the Accomackians freely entered his service; and he appeared before Jamestown with a force said to have amounted to five ships and ten sloops, manned with a thousand troops.

To this force the small number of Bacon's partisans that were left behind at Jamestown could not, of course, attempt to oppose any resistance. He offered a pardon to all who should renounce Bacon's interest, and own his, excepting from the promised indemnity only Mr. Drummond and Col. Lawrence, two gentlemen of high standing and zealous friends of Bacon. In the dilemma in which they were thus placed, the greater part of the people in town evacuated it precipitately in the night; and on the following day Sir William re-entered it, resumed his authority with great solemnity and state, and devoted himself assiduously to the task of strengthening his position against the danger to be apprehended of Bacon's return.

The news of this reverse in his rear did not reach the latter till after his return from his Indian expedition, and the dispersion of his army to their homes. By a prompt and bold move, however, in advance of any intelligence of his operations, he hastened down to the city, with

Digitized by Google

only the small force remaining with him,—the women and children (according to the statement in Burk's History) as he passed pouring out blessings on his head, and offering prayers to Heaven for his safety and success,—and very coolly, as we are told, "in a trice blocks up the Governour in towne, to the generall astonishment of the whole countrey; especially when that Bacon's numbers were knowne; which at this time did not exseed above a hundred and fifty, and these not above two-thirds at work neither."

The town was situated on a peninsula, formed by the James River, here of great breadth, and by a deep creek or branch emptying into the James, after a semi-circle sweep by which it approached, as it is described, to within ten paces of the river—the island, as it is termed, thus formed, being about two miles in length, and one in breadth. This very narrow pass, or isthmus, was defended from within by forfications and cannon; while Bacon's position was also commanded by the armed vessels in the river. To obtain time for the construction of his entrenchments to secure the command of the pass, before Sir William could learn the insignificance of his force, and overwhelm him by numbers in a sally, he adopted a cool expedient, as novel as it was successful—and "how this was efected," says good Mrs. Cotton, "you shall heare:"

"For emediately he despatcheth two or three parties of Horss, and about so many in each party, for more he could not spare, to bring into the camp some of the prime Gent: women, whose husbands were in towne. Where when arived he sends one of them to inform her owne, and the others husbands, for what purposes he had brought them into the camp, namely, to be plac'd in the fore frunt of his men, at such time as those in towne should sally forth upon him.

"The poor Gent: women were mightily astonished at this project; neather were their husbands voide of amazements at this subtill invention. If Mr. Fuller thought it strange, that the Divells black guard should be enrouled Gods soulders, they made it no less wonderful, that their innocent and harmless wives should thus be entred a white garde to the Divell. This action was a method, in war, that they were not well acquainted with (no not those the best inform'd in millitary affaires) that before they could com to pearce their enimies sides, they must be obliged to dart their weapons thorough their wives brest: By which meanes though they (in their owne parsons) might escape without wounds, yet it might be the lamentable fate of their better halfe to drop by gunshot, or otherways to be wounded to death.

"Whether it was these considerations, or some others, I do not know, that kep their swords in their scabards: But this is manifest, That Bacon knit more knots by his owne head in one day, than all the hands in towne was able to untye in a wholl weeke: While these Ladyes white Aprons became of grater force to keepe the beseiged from falleing out than his works (a pitiful trench) had strength to repel the weakest shot, that should have been sent into his legure, had he not made use of this invention.

"For it is to be noted that right in his frunt, where he was to lodge his men, the Governour had planted three grate guns, for to play poynt blank upon his men, as they were at worke, at about 100 or 150 paces distance; and then again on his right hand, allmost close aborde the shore, lay the ships, with their broade sides, to thunder upon him if he should offer to make an onslaute; this being the onely place, by land, for him to make his entrey into the towne."

Digitized by Google

Bacon was a handsome and elegant young cavalier, and their can be no doubt that the compulsory hospitality of his leaguer was made as agreeable as possible under the circumstances to these "mightily astonished gentlewomen;" among whom was the wife of his own kinsman and namesake, of whom mention has before been made. It was scarcely, however, in his power to be very lavish of his personal attentions to his fair guests, as his own labors, in his arduous and perilous enterprise, were such as fatally to undermine his health. He was everywhere at the same moment, infusing into his exhausted followers the contagion of his own indomitable courage and resolution, and participating with his own hands in their toils. He soon released his guard of "white Aprons;" and then received the sally of the Governor's Accomackians, seven or eight hundred in number, with such spirit, that the latter, as we are told, having gone out with "hevie harts," returned with "light heeles." It is to be hoped that the Accomackians of the present day have somewhat improved upon the blood of their progenitors of a century and a half ago; for though they had been readily enough attracted to the Governor's service by the prospect of pay and booty, yet at the first notice given, as we are told, of the intended sally, "some of the officers made such crabed faces at the report of the same, that the Guner of Yorke Fort did proffer to purchase, for any that would buy, a Collonells or Captains Commission, for a chunke of a pipe." And so little were they inured to the inclemency of the weather, that when they had ventured forth beyond the shelter of their fortifications, they speedily thought it "better to turn their backs upon that storme, that their brests could not endure to strugle against, for feare of being gauled in their sides, or other parts of their bodys, through the sharpness of the wether; which (after a terable noyse of thunder and lightning out of the Easte) begun to blow with a powder (and some lead too as big as musket boolitts) full in their faces, and that with so grate a violence, that som of them was not able to stand upon their leggs, which made the rest betake themselves to their heeles; as the onely expedient to save their lives; which som amongst them had rather to have lost, than to have owned their safety at the price of such dishonourable rates."

In palliation of their cowardice on this occasion, it should not be omitted to state, that a portion of their number were composed of the crews of vessels of different nations, and of such worthless rabble as the prospect of plunder alone had enlisted under the Governor's standard. As soon as Bacon had planted three cannon on his entrenchments, so as to command the shipping, and the fortifications of the entrance to the town, which he declared his determination to carry by breach and storm, they lost no time in betaking themselves in the night to their vessels, despite of the rage and mortification of the stout old knight; and dropped down the river a distance of about twenty miles,—whence they soon, to consummate the disgrace of their flight, betook themselves back again to the shores of Accomac. Before their departure the Gover-

Digitized by Google

nor was careful to strip the city of everything valuable; anticipating doubtless, inasmuch as they had plundered the houses of Bacon's friends, that a similar fate, at the hands of the latter, would be awarded to those of his opponents.

Thus again master of Jamestown, Bacon was still placed in a critical and embarrassing situation. Accessible as it was by water, the whole naval force of the Colony being in the hands of Sir William, he felt himself liable at any moment to attack, as soon as the latter should reinforce and reorganize his troops; while it was certain that his own first absence would be the signal for the reoccupation of the capital by his adversaries —which it would scarcely be in his power so easily again to recover. Sir William was still at anchor, where he remained for several days, about twenty miles down the river; and the report arrived that one of his partisans, Colonel Brent, had gathered a force of a thousand men in the north, and was hastening down to the support of the Governor. A junction between the two would have been fatal, and not an hour was to be lost in proceeding to meet Brent. In this dilemma Bacon promptly decided on one of those bold and energetic steps peculiarly characteristic of the genius of the man. He dismantled the fortifications of the neck, and laid the town in ashes—leaving not a single house, nor even the Church, standing.

This act is generally referred to with great horror, for its reckless and sacrilegious audacity. The friends of Berkeley attribute it to the insane desperation of Bacon's rebellious spirit, and to rage at finding nothing but empty walls, where he had expected a rich booty. The injustice of all this is too evident to need illustration. The act was, as it was represented by the friends of Bacon, "very soldier-like and with great judgment." The Virginians had no liking for towns at all, and the erection of the few houses which constituted the capital had been reluctantly forced on them by the urgent efforts of the Government, and especially by the personal influence in former days of Sir William Berkeley. The houses were not more than sixteen or eighteen in number, at wide intervals, built chiefly of brick, "faire and large," as we are told, "and in them about a dozen families (for all the howses are not inhabited) getting their liveings by keeping of ordinaries, at extreordnary rates." The town was entirely useless to him, nor did his followers probably regard it as of any public advantage. Stripped of every convenience, down to the bare walls of the houses, it could afford them no resting place, in their present worn and exhausted condition. And even had not the danger existed of its blockade by water and land by their adversaries, from the peculiarity of its natural site—as well as that of its reoccupation by the latter as soon as they should leave it, on their immediately necessary march against Colonel Brent—yet still it was not to be expected that they could leave their own homes and plantations longer without their presence, to form a garrison for this empty and worthless shell of a town. Mr. Drummond and Colonel

Digitized by Google

Lawrence, themselves owners of the two most valuable houses in the place, were the first to apply the flames to their own respective property, and in a very short space the destruction of the whole was complete.

This summary cure having been thus applied to this "sore upon the surface of the body politic," as the capital was most emphatically regarded by the Virginian democrats of that day, Bacon then proceeded with great rapidity to meet Brent, before he should effect a junction with Sir William, who was still within twenty miles of the town. The mere report, however, of his approach, and of these recent events —combined doubtless with the general popular sympathy with his cause—sufficed to disperse Brent's thousand men; on which the Governor set sail, as before mentioned, for Accomac; and Bacon, after a few days spent at Sir William Berkeley's own seat of Green Spring, proceeded to Gloucester County, the inhabitants of which had not participated in the proceedings and the bold oath of his Convention at the Middle Plantation, and in which the cause of the Govenor was stronger than in any other part of the country. Here he assembled a convention, the account of which is thus related:

"This business of Brents haveing (like the hogge the devill sheared) produced more noyse than wooll, Bacon, according to summons, meets the Gloster men at the Court Howse: where appeared som 6 or 7 hundred horss and foot, with their arms. After that Bacon, in a long Harange, had tendered them the ingagement (which as yet they had not taken, and now was the only cause of this convention) one Mr. Cole offered the sence of all the Gloster men there present: which was sumed up in their desires, not to have the oath imposed upon them, but to be indulged the benefitt of Neutralitie: But this he would not grant, telling of them that in this their request they appeared like the worst of sinners, who had a desire to be saved with the righteous, and yet would do nothing whereby they might obtaine there salvation; and so offering to go away, one Coll: Gouge (of his party) calls to him and told him, that he had onely spoke to the Horss (meaning the Troopers) and not to the foote. Bacon, in soun passion, replide, he had spoke to the Men, and not to the Horss; haveing left that servis for him to do, because one beast best would understand the meaneing of another. And because a minister, one Mr. Wading, did not onely refuse to take the Ingagement, but incouraged others to make him their example, Bacon committed him to the Gard; telling him that it was his place to preach in the church, not in the camp: In the first he might say what he pleased, but in the last, he was to say no more than what should please him; unless he could fight to better purpose than he could preach."

The Gloucester men at last consented, on a second meeting, to subscribe the oath; and thus firmly established throughout all the western shore of the Province, the enterprising courage of this singular man next led him to form a plan, in the words of the writer just quoted, "to go and see how the Accomackians did"—on which he proceeds thus quaintly to remark:

"It must be confest that he was a Gent: man of a liberall education, and so consequently must be replenished with good manners, which inables, and obligeth all civill parsons both to remember, and repay receved curteces: which made him not to forget those kindnesses the Accomackians bestowed, in his absence, on his friends, and their neighbours, the Verginians: and so now he resolved (since he had nothing else to do) for to go and repay their kind hearted vissitt. But first he thought good

Digitized by Google

to send them word of his good meaneing, that they might not plead want of time, for want of knowledge, to provide a reception answerable to his qualety, and attendance. This was pritty faire play, but really the Accomackians did not halfe like it. They had rather his Honour would have had the patience to have stade till he had bin invited, and then he should have bin much more wellcom."

Bacon's position was now a very critical one. The time was approaching when the answer to Sir William's letters to the King might be expected in the form of a large force of regular troops, which he had represented as the only effectual means to uphold the government, and prevent the Colony from throwing off all subjection and dependence on the parent state. Notwithstanding the oath which had now been subscribed by most of the leading men of the Colony, and notwithstanding the general popular sympathy with his cause—(the number of faithful friends who accompanied the Governor to Accomac did not exceed twenty)—yet he could not be insensible to the probability that the actual appearance of a large regular force on the soil of the Colony, marshalled under the royal standard, might be the signal of a panic which he might find it impossible to withstand. He was therefore indefatigable in his personal exertions. He allowed himself not an instant of repose, though already beginning to suffer seriously from the effects of his fatigue and exposure in the trenches before Jamestown. He visited every post in person, everywhere carrying the magical influence of his own ardent and resolute spirit and commanding intellect. His chief officers were the persons who have been already named in the course of the narrative, Drummond, Lawrence, Ingram, Walklate, Graves, and some others. He was himself, however, the animating centre on which the whole depended, and never did a leader, combining as he did a civil with a military character, more nobly sustain the vast responsibilities and difficulties of such a position.

But fine as was the temper of the blade, its keenness at last wore out its scabbard. In the midst of these gigantic labors, before he had time to complete his preparations for his expedition to Accomac, he was at length overtaken by death, at the house of a Doctor Pate, in Gloucester County. The immediate cause of his death was a slight disorder of the stomach, brought on by exposure and want of rest, to which a little repose and care were alone necessary to effect a cure. The grief of his followers can be best imagined from the view which the preceding pages have presented of his character. Their pious friendship protected his remains from the insults which were to be anticipated from the malignant vengeance of his enemies, and they were buried with so careful a secrecy (as is reported of those of Oliver Cromwell), that the place of their deposite eluded the most diligent search which was afterwards made for it by Sir William Berkeley. Happy would be the accident that should yet, by some of the odd possibilities that are sometimes witnessed, rake up the buried secret, that the spot might be marked by the monument so well merited from the present generation, by the me-

Digitized by Google

mory of his cause, his character, and his fate. The date of his death was October the first, about a month previous to the time appointed for the meeting of the Assembly for which he had issued writs from the Convention of the Middle Plantation. Had not his life been thus suddenly cut short, it is difficult to anticipate what might have been the result of the attitude in which he had thus placed and organized all Virginia. We can scarcely doubt that the people, under his continued guidance, must have forced from the weak government at home (itself overthrown by the people but a few years afterwards) the concession of their demands. Nor is it even entirely preposterous to imagine the possibility of such a man having been able to unite all the American Colonies, throughout which a kindred spirit of courageous liberty prevailed, in a common cause, which might have carried back exactly a century, to 1676, the successful achievement of that great event which was reserved for 1776. It is at any rate a fine chapter in the early history of the Ancient Dominion; and the brave and resolute spirit which her people here exhibit, is alone enough—were there any paucity of such evidence—to disprove the charge which has sometimes been advanced by Northern writers, that Virginia contrasted unfavorably, in the submissive and tractable temper of her loyalty, with the higher and sturdier spirit of liberty which characterizes the colonial history of the New England Provinces. "Nothing can be more unjust," says Burk, "than this comparison, because nothing is more untrue. Without derogating from the well earned fame of New England; their noble ardor for liberty, their steady and animated resistance against force and corruption; the conduct of Virginia, from the first moments of her existence, was exactly the opposite of what it has been represented; and although comparisons between different confederate States are always invidious, she has no cause or motives to shun them, save those of friendship and affection."

It is needless to add to the evidence involved in the course of this narrative any summary of the character of this noble young patriot hero, whose steps we have been following through the rapidly shifting scenes of his bold and perilous career. His life has all the interest of romance. Bitterly as he has been vilified by the history written by triumphant tyranny, every circumstance seems to combine in him that should, at this day at least, excite our warmest sympathy. His extraordinary genius and force of character were evidently united to a purity and patriotism which constitute a nobler subject of admiration. With all the dictatorial power which the crisis of the times placed in his hands, he never committed nor suffered any retaliation for the many private outrages perpetrated against his friends and himself. The only occasion on which he allowed any blood to be shed, in the unhappy civil strife in which he was plunged, except in the case of the few who fell in his attack upon Jamestown, is thus narrated by a candid and impartial witness:

Digitized by Google

"About this time was a spie detected, pretending himself a deserter, who had twice or thrice come and gone from party to party, and was by councill of warr sentenced to death, after which Bacon declared openly to him 'that if any one man in the army wou'd speak a word to save him, he should not suffer,' which no man appearing to do, he was executed. Upon this manifestation of clemency Bacon was applauded for a mercifull man, not willing to spill Christian bloud, nor indeed was it said, that he put any other man to death in cold bloud, or plundered any house."

The grief of his friends on this sudden extinction of all the proud hopes and warm affections of which he had been the object, was as though the sun had been stricken from their heaven. It sought its expression, as we are told, "in many coppes of verses made after his departure, calculated to the Lattitude of their affections who composed them." The following "Epitaph" is preserved in one of Colonel Force's Tracts; and through all the quaint and far-fetched conceits sanctioned by the prevailing bad habit and taste of the poetry of the day, a glimpse may be had of the unbounded devotion and admiration with which this remarkable young man was regarded by his friends and followers:

"Death why soe crewill! what no other way
To manifest thy splleene, but thus to slay
Our hopes of safety; liberty, our all
Which, through thy tyranny, with him must fall
To its late caoss? Had thy rigid force
Bin delt by retale, and not thus in gross
Grief had bin silent: Now wee must complaine
Since thou, in him, hast more then thousand slane
Whose lives and safetys did so much depend
On him there lif, with him there lives must end.
"If 't be a sin to think Death brib'd can bee
Wee must be guilty; say twas bribery
Guided the fatall shaft. Verginias foes
To whom for secret crimes, just vengeance owes
Disarved plagues, dreding their just disart
Corrupted Death by Parasscellcian art
Him to destroy; whose well tride curage such,
There heartless harts, nor arms, ner strength could touch.
"Who now must heale those wounds, or stop that blood
The Heathen made, and drew into a flood?
Who is't must pleade our Cause? nor Trump nor Drum
Nor Deputations; these alass are dumb,
And Cannot speake. Our Arms (though neer so strong)
Will want the aide of his Commanding tongue,
Which conquer'd more then Ceaser: He orethrew
Onely the outward frame; this could subdue
The ruged workes of nature. Soules repleate
With dull Child could, he'd annemate with heate
Drawne forth of reasons Lymbick. In a word
Mars and Minerva, both in him Concurd
For arts, for arms, whose pen and sword alike
As Catos did, may admireation strike
Into his foes; while they confess with all
It was their guilt stil'd him a Criminall.

Digitized by Google

Onely this differance does from truth proceed
They in the guilt, he in the name must bleed.
While none shall dare his obseques to sing
In desarv'd measures; untill time shall bring
Truth Crown'd with freedom, and from danger free
To sound his praises to posterity.
"Here let him rest; while wee this truth report
Hee's gon from hence unto a higher Court
To pleade his Cause where he by this doth know
Whether to Ceaser hee was friend, or foe.

While on the other hand the equal abhorrence with which his name and memory were looked upon by the opposite faction may be seen through the following replication to the above. The contrast between the two affords a singular illustration of the different media of vision through which conflicting political parties are wont to view the characters of their respective leaders—that of a prominent champion of republican reform being always the object of a peculiarly intense bitterness on the part of triumphant power:

"WHETHER to Ceaser he was Friend or Foe?
Pox take such Ignorance, do you not know?
Can he be Friend to Ceaser, that shall bring
The Arms of Hell, to fight against the King?
(Treason, Rebellion) then what reason have
Wee for to waite upon him to his Grave,
There to express our passions? Wilt not bee
Worse then his crimes, to sing his Ellegie
In well tun'd numbers; where each Ella beares
(To his Flagitious name) a flood of teares?
A name that hath more soules with sorrow fed,
Then reched Niobe single teares ere shed;
A name that fil'd all hearts, all eares, with paine,
Untill blest fate proclam'd, Death had him slane.
Then how can it be counted for a sin
Though Death (nay though myselfe) had bribed bin,
To guide the fatall shaft? we honour all
That lends a hand unto a Trators fall.
What though the well paide Rochit soundly ply
And box the Pulpitt, into flattery;
Urging his Rhetorick, and strain'd elloquence,
T' adorne incoffin'd filth, and excrements;
Though the Defunct (like ours) nere tride
A well intended deed untill he dide?
'Twill be nor sin, nor shame, for us, to say
A two fould Passion checker workes this day
Of Joy and Sorrow; yet the last doth move
On feete impotent, wanting strength to prove
(Nor can the art of Logick yield releife)
How Joy should be surmounted by our greafe.
Yet that wee Greave it cannot be denide,
But 'tis because he was, not cause he dide.
So wep the poore distressed Illium Dames
Hereing those nam'd, their Citty put in flames,

Digitized by Google

And countrey ruin'd ; If we thus lament
It is against our present Joyes consent.
For if the rule in Phisick, trew doth prove,
Remove the cause, th' effects will after move;
We have outliv'd our sorrows ; since we see
The causes shifting of our miserey.
"Nor is't a single cause, that's slipt away;
That made us warble out, ah well-a-day.
The Branes to plot, the hands to execute
Projected ills, Death Ioyntly did nonsute
At his black Bar. And what no Baile could save
He hath committed Prissoner to the Grave ;
From whence there's no reprieve. Death keep him close
We have too many Divells still goe loose."

On the remainder of the history of "*Bacon's Rebellion*" we will not dwell—all the interest of its personal romance expiring with its gallant young hero. It will be sufficient, in general terms, to remark, that his adherents continued still for some months not only to hold out against the Governor, but to retain the decided ascendency in the Colony, though destitute of any single able chief to combine and consolidate their efforts. Ingram and Walklate, who have been before named, seem to have been the principal leaders. The country remained in a most wretched state during the partisan civil warfare which was waged on a petty scale, but in a bitter and cruel spirit, between the two parties. The Baconians, as they still continued to be termed, were at last reduced by a stratagem of most infamous treachery on the part of Sir William, their main body, under Ingram, being induced, by a fraudulent treaty concluded with a creature of the former, to surrender their arms, and return to a recognition of the authority of the Governor. Ingram would seem to have been bought. A most ferocious and extortionate persecution of the popular party then ensued ; which was only arrested by the arrival of royal commissioners and troops from England, with full powers to investigate and settle all the disturbances of the Colony, and with a general amnesty from which Bacon alone was excepted. Even these, however, found it extremely difficult to arrest the sanguinary vengeance of the old Governor, of whom it was said at the time, that he would have hung half of the country if they had let him alone. He at last returned to England to seek support in the smiles of royalty against the popular odium by which he was fairly overpowered ; but notwithstanding his old services and former favor, the strong evidence against him, to which his friends vainly attempted a justification, deprived him of all countenance from his master or the Court—and he very soon sunk broken-spirited, an object half of pity and half of execration, into a wretched grave.

Digitized by Google

THE REV. CHARLES FOLLEN.

When the news of the catastrophe of the steamboat Lexington in the Sound, on the night of the 13th of January last, burst upon the country, with all its appalling, agonizing, sickening effect upon the hearts even of the millions who had no special interest to claim in any of the sufferers, to those who could individualize and realize all of its combined horrors of fire, frost and wave, by attaching them in imagination to the person of some particular friend among that devoted number, its effect was such as no length nor variety of life can certainly ever wholly efface. In common with a wide circle of whose warmest affections he was the centre, such was our lot with respect to the beloved and revered friend to whose memory the feeble tribute of this notice is sadly offered. The title by which it is due is not only the fact of his having been a contributor to the pages of this work, but also the lofty purity and fervor of his devotion of his great mind, and of his noble and gentle heart, to the cause of democratic truth and freedom, of which he was among the worthiest, as among the most ardent votaries. Nor shall we be withheld from rendering it by any regard to certain wide differences of opinion which may have subsisted between him and this work, upon a subject with which his name had become closely identified, and upon which, viewing it only by the light of abstract principles, he was naturally misled by those very qualities which chiefly contributed to form the greatness and the beauty of his character.

The few prominent events of his life may be briefly told. He was a native of Germany, having been born at Romrod in Hesse Darmstadt, in the year 1796. His elder brother, Augustus Follen, is now a Professor in the University of Zurich in Switzerland, and is an eminent German poet. Another brother, who is spoken of as distinguished for his literary talents, is now a citizen of the State of Missouri.

Previously to the year 1824, Dr. Follen was Professor of the Civil Law in the University of Basle in Switzerland. In his character benevolence and perfect gentleness were so happily blended with the loftiest courage and firmness, together with a commanding power of intellect, that he was regarded by the students with a love that was an enthusiasm. By his known devotion to the cause of freedom, and his zeal in the promulgation of liberal opinions, he became obnoxious to the Emperor of Austria, who demanded that he should be surrendered as a criminal to endure the penalties of Austrian law. He protested that he had been guilty of no crime, and claimed the right

Digitized by Google

to be tried, if charged with any, by the laws of the Canton in which he lived. The Swiss government admitted his right, and for a long time resisted the demands of the Austrian despot; but at length became intimidated by the urgency of Austria, and anxiously solicited Dr. Follen to retire from the country. He declared that he would not flee as a criminal from the demands of the Austrian government, but if his government would threaten a prosecution on their own account, he should deem it his duty to secure himself. Some such act was adopted, and he left Switzerland and went to Paris. Here he attached himself to our National Benefactor, Lafayette, who earnestly invited him to be a companion of his voyage to this country, in the year 1824.

This proposal he modestly declined, although it was his intention to make the United States his place of refuge. In the autumn of 1824, after Lafayette's return to France, Dr. Follen came out to America. He was soon afterward employed as a professor of German Literature in Cambridge College, where his kindness of manners and varied knowledge made him extremely popular with the students. He subsequently embraced the profession of divinity, and was for a short period pastor of a congregation in the city of New York. At the time of his death he resided at Lexington, in Massachusetts, where he had the charge of a religious society.

It is a circumstance of much interest, that in the wane of the Holy Alliance, and the progress of liberal principles in Switzerland, the government of the Canton of Basle has passed into the hands of the former friends and pupils of our lamented friend, and all political obstacles to his return to Switzerland were removed, and he was meditating a visit, at no distant day, to the former place of his labors and trials.

A fine article entitled "Peace and War" which appeared in the Democratic Review for February, 1839, was from the pen of Dr. Follen; though it may be proper to mention that a few slight alterations were made in it, on its editorial revision and preparation for the press—(which were made upon the certainty of a full identity of general views on the subject with the author, and upon which it happened at the moment to be impossible, as a question of time and distance, to consult the latter)—which did not meet his approval; though chiefly for the characteristic reason that those modified passages contained some stronger expressions, applied to the absurdities against which the argument of the Article was directed, than were in exact harmony with the extremely gentle, kindly and tolerant spirit of the writer himself. It is unnecessary for us to designate these expressions, from the responsibility of which it is proper, on thus alluding to the writer, to exonerate him. An announcement has been made of a collection of his writings, to be published with a biographical memoir, by the widow to whom Dr. Follen has bequeathed the honor of his name and the memory of his virtues. In this the passages in

Digitized by Google

question will doubtless be divested of those slight asperities which, to our very great regret, grated somewhat painfully on the delicate ear of the author, and will be restored to the original form in which they came from his pen.

Dr. Follen was perhaps the most pure and perfect democrat, alike in the profoundest convictions of his reason and the warmest sympathies of his heart, that we have ever met. We have alluded above to a subject of difference of opinion, to which the following extract from a letter from him more distinctly refers: "I hope and trust that no difference of opinion with regard to the application of the great principles in which we entirely agree, will lessen our faith in each other's fidelity to these principles, whatever course each one may feel bound in conscience to adopt. I know of no other difference in our political creed than that with regard to the extent to which the Federal Government *ought* to exercise the power which the *letter* of the Constitution confers upon it on the subject of slavery in the District and the Territories."

A hand so far abler and worthier, guided by a congenial spirit, has given to the world a portraiture of the character of Dr. Follen, that we will not venture to intrude on our readers any attempt of our own to analyze the rare elements of goodness and greatness which so beautifully combined to its formation. The following is taken from a discourse pronounced by the Rev. W. E. Channing in Boston, shortly after the catastrophe which included in its fearful accumulation of horrors the noble victim to whose virtues it is a tribute not less just than eloquent:

"When my mind, composed by time, now goes back to that flame-encircled host, I search for one among the crowd who was singularly dear to me, the close and faithful friend of many years; and as he rises to my mind, I see no terror on his countenance. I see him with collected mind and quick eye looking round him for means of escape, using every energy of a fearless spirit, thoughtful too of others as well as of himself, and desisting from no efforts of love and prudence till the power of effort failed. I see indeed one agony; it was the thought, that the dear countenances of wife and child and beloved friend were to be seen no more on earth. I see another, perhaps deeper agony; it was the thought of the wo which his loss was to inflict on hearts dearer to him than life. But even at that hour his love was not all agony; for it had always lived in union with faith. He had loved spiritually; he had reverenced in his friends an infinite, undying nature; he had cherished in them principles and hopes stronger than death. I cannot doubt that in that fearful hour, he committed them and himself with filial trust to the all-merciful Father. I cannot doubt, that death was disarmed of its worst terrors, that the spirit passed away in breathings of unutterable love and immortal hope. Thus died one of that seemingly forlorn, desolate, forsaken company; I hope, thus others died. But one such example mingles with the terrors and agonies of that night so much that is heavenly, soothing, cheering, that I can look at the scene without overwhelming gloom, and without one doubt of the perfect goodness of God.

"The friend to whom I have referred was not only my friend, but most dear to several who worship in this house. For their sakes, more than my own, I would say something of his character; though in truth, I have a higher object than to minister to any private grief. This is not the place for the utterance of personal feeling. This house was reared not for the glory even of the best and the greatest of men,

Digitized by Google

but for the glory of God, and for the spiritual edification of his worshippers. I feel, however, that God is honored and man edified by notices of such of our race as have signally manifested the spirrt of the Divinity in their lives, and have left a bright path to guide others to a better world.

"The friend of whom I speak was one of the few who seem set apart from the race by blamelessness of life and elevation of spirit. All who have had opportunities of knowing him will testify, by a spontaneous impulse, that they knew no purer, nobler human being. Some think, that on the whole he was the best man whom it has been their privilege to know. Such a man may be spoken of even in the house of God, in that place where flattery is profanation, and God, not man, is to be adored. Our friend did not grow up among us. He came here in exile from a distant land; and, poor and unfriended, was to earn his bread with toil; and under these disadtages he not only won friends and a home, but was adopted with a love and trust which few inspire who have been known from infancy to age.

"The character which secured such love it is not difficult to depict, because greatness is simple, artless, and lies open to every eye. It was his distinction, that he united in himself those excellencies which at first seem to repel each other, though in truth they are of one loving family. This union was so striking, as to impress even those who did not enjoy his intimacy. For example, he was a Hero, a man of a Lion-heart, victorious over fear, gathering strength and animation from danger, and bound the faster to duty by its hardships and privations; and at the same time he was a child in simplicity, sweetness, innocence, and benignity. His firmness, which I trusted, perhaps, more than that of any man, had not the least alloy of roughness. His countenance, which at time wore a stern decision, was generally lighted up with a beautiful benignity; and his voice, which expressed, when occasion required it, an inflexible will, was to many of us musical beyond expression, from the deep tenderness which it breathed.

"As another example of seemingly incongruous virtues, he was singularly alive to the domestic affections. Who that saw him in the bosom of his family can forget the deep sympathies and the overflowing joyousness of his spirit? His home was pervaded by his love as by the sun's light. A stranger might have thought that his whole soul was centred there; and yet with these strong domestic affections he joined a love of his race far more rare. His heart beat in unison with the mighty heart of humanity. He did not love mankind as those words are commonly used. He was knit to them by a strong living tie of brotherhood. He felt for all men, but above all for the depressed and the wronged. His mild countenance would flash fire at the mention of an injured man; not the fire of revenge, or unkindness, but of holy indignation, of unbounded love and reverence for invaded Right.

"I can mention another union of qualities not always reconciled. He was a man of refined taste. He loved refined society. His manners, courteous, sweet, bland, fitted him for intercourse with the most cultivated, and he enjoyed it keenly; and yet his deepest sympathies were given to the mass of men. He was the friend of the laboring man. He had a great respect for minds which had been trained in simple habits, and amidst the toils of life; and could he have chosen the congregation to which he would minister, it would have been composed chiefly of such members.

"I will mention one more union of seemingly dissimilar virtues. He was singularly independent in his judgments. He was not only uninfluenced by authority, and numbers, and interest, and popularity; but by friendship, by those he most loved and honored. He seemed almost too tenacious of his convictions. But with all this firmness of judgment, he never gave offence by positiveness, never challenged assent, never urged his dearest convictions with unbecoming warmth, never in argument passed the limits of the most delicate courtesy; and from a reverence of others' rights, encouraged the freest expression of opinion, however hostile to his own.

"Such were some of the traits of this great and good man; and of these traits, which bore rule? Not a few, who saw him cursorily, remember most distinctly

Digitized by Google

his singular sweetness and benignity. But had these predominated, I might not perhaps think myself authorized to pay him this extended tribute in a Christian congregation. I should confine the utterance of my grief to the circle of private friendship. It was his calm, enlightened, Christian Heroism, which imparted to his character its singular glory. His sweetness threw a lustre over this attribute, by showing that it was no morbid enthusiasm, no reckless self-exposure; that he was not raised above danger and personal regards by vehemence of emotion. His heroism had its root and life in reason, in the sense of justice, in the disinterested principles of Christianity, in deliberate, enlightened reverence for human nature and for the rights of every human being. It was singularly free from passion. Tender and affectionate as his nature was, his sense of justice, his reverence for right, was stronger than his affections; and this was the chief basis and element of his heroic character. Accordingly, the love of freedom glowed as a central, inextinguishable fire in his soul!—not the school-boy's passion for liberty, caught from the blood-stained pages of Greece and Rome, but a love of freedom, resting on and blended with the calmest knowledge, growing from clear, profound perceptions of the nature, and destiny, and inalienable rights of man. He felt to the very depth of his soul, that man, God's rational, immortal creature, was worth living for and dying for.

"To him, the most grievous sight on earth was not misery in most agonizing forms, but the sight of man opressed, trodden down by his brother. To lift him up, to make him free, to restore him to the dignity of man, to restore him to the holy hope of a Christian—this seemed to him the grandest work on earth, and he consecrated himself to it with his whole soul. I felt habitually in his presence, that here was a man ready at any moment to shed his blood for truth and freedom. For his devotion to human rights, he had been exiled from his home and native country; he had been hunted by arbitrary power in foreign lands, and had sought safety beyond an ocean. But peril and persecution, whilst they had tempered his youthful enthusiasm, had only wrought more deeply into his soul the principles for which he had suffered, and his resolution, in growing calmer, had grown more invincible.

"His greatness had one of the chief marks of reality—it was unpretending. He had no thought of playing the part of a hero. He was never more himself, never more unstudied, spontaneous, than in the utterance of generous sentiments. His greatness was immeasurably above show, and above the arts by which inferior minds thrust themselves on notice. There was a singular union in his character of self-respect and modesty, which brought out both these qualities in strong relief. He was just to himself without flattery, and too single-hearted and truthful to seek or accept flattery from others. He made no merit, nor did he talk, of the sufferings, past or present, which he had incurred by faithfulness to principle. In truth, he could hardly be said to suffer, except through a solicitude for what he might bring on those who were dearer to him than himself. It was part of his faith that the highest happiness is found in that force of love and holy principle through which a man surrenders himself wholly to the cause of God and mankind; and he proved the truth in his own experience. Though often unprosperous and often disappointed, his spirit was buoyant, cheerful, overflowing with life, full of faith and hope, often sportive, and always open to the innocent pleasures which sprung up in his path.

"He was a true Christian. The character of Christ was his delight. His faith in immortality had something of the clearness of vision. He had given himself much to the philosophical study of human nature, and there were two principles of the soul on which he seized with singular force. One of these was 'the Sense of the Infinite'—that principle of our nature which always aspires after something higher than it has gained, which conceives of the Perfect, and can find no rest but in pressing forward to Perfection; the other was 'the Free Will of Man,' which was to him the grand explanation of the mysteries of our being, and which gave to the human soul inexpressible interest and dignity in his sight. To him life was a state

Digitized by Google

in which a free being is to determine himself, amid sore trials and temptations, to the Right and the Holy, and to advance toward Perfection. His piety took a character from these views. It was eminently a filial piety. He might almost be said to have no name for God but Father. But then God was not to his view a fond, indulgent father, but a wise parent, sending forth his child to be tried and tempted, to suffer, and contend, to watch and pray, and amid such discipline to approve and exalt his love toward God and mankind.

"Such were the grand traits of our departed friend. He was not good as most of us are, faithful to duty when duty is convenient, loyal to truth when truth is shouted from the crowd; he loved Virtue for herself, loved her when her dowry was suffering, and therefore I deem him worthy to be spoken of thus largely in Christ's church. The World has its temples, in which its favorites, the powerful, the successful, may be landed; but he only is fit to be commemorated in a Christian church who has borne the cross, who has left all for Duty and Christ. Not that I mean to speak of our friend as perfect. He fell below his standard; he was a partaker of human infirmities; he carried with him human guilt; he has gone, not to plead his merits, but to cast himself on the mercy of his Creator.

"My thoughts have been so attracted to his moral qualities that I have neglected to speak of his intellectual powers. These were of a high order. His intellect had the strength, simplicity and boldness of his character. Without rashness, it shrank from nothing that bore the signature of truth. He was given chiefly to the higher philosophy which treats of the laws, powers and destinies of the human soul. He hoped to live to complete a work on this subject. I presume that, next to the discharge of all duty, this was the object he had most at heart; and though I differed from him as to some fundamental doctrines, I shared in his strong desire of giving his views to the world.

"His theory stood in direct hostility to Atheism, which confounds man with nature; to Pantheism and Mysticism, which confound man with God; and to all the systems of philosophy and religion, which ascribe to circumstances or to God an irresistible influence on the mind. The Free-Will through which we create our own characters, through which we become really, not nominally, responsible beings, and are fitted to sustain, not physical, but moral relations to God and the universe, this was his grand principle; and he followed it out to all its consequences, with his characteristic decision. But he was not confined to abstract subjects. He had studied moral science, history, and the civil law profoundly. He had given much thought to Christianity and the Church. His acquisitions of knowledge were various, his taste refined, and his power of expression great. His thoughts, often original, were robed in beauty from an imagination which received fresh, genial, quickening influences from his moral nature. His intellect, however, had one quality, which, whether justly or not, prevented its extensive action on our community. It did not move fast enough for us. It was too deliberate, too regular, too methodical, too anxious to do full justice to a subject, for such an impatient people as we are. He did not dazzle men, by sudden, bold, exaggerated conceptions. In his writings he seemed compelled to unfold a subject in its order; and sometimes insisted on what might have been left to the quick conception of the hearer. Hence he was thought by some to want animation and interest as a preacher, while by others his religious instructions and his prayers were felt to be full of life and power. The effect of his eloquence was often diminished by his slow, deliberate utterance; a habit which, as a foreigner anxious to pronounce our language with perfect accuracy, he could hardly help contracting. Of late, however, his freedom and earnestness had increased; and his preaching was listened to with delight by those who insist most on animation of thought and manner. Indeed to his last moment he was growing in the desire and the power to do good.

"Thus he lived; nor is he to be compassionated because in the midst of such a life he was suddenly taken away. Our imaginations associate a peculiar terrible-

Digitized by Google

ness with death, when it comes without warning, in the form of tempest, lightning, fire, and raging waves. But within and beneath these awful powers of nature, there is another and mightier power. These are only God's ministers; and through these he separates from earthly bonds the spirit which he has watched over and prepared for nearer access to himself. Perhaps, were our minds more elevated, it would seem to us worthier of a man, more appropriate to his greatness, to fall under these mighty powers, to find a grave in these unbounded elements, than to sink by slow disease and to be consigned to the dark, narrow tomb.

"Our friend lived the life of a man and a Christian to the last hour. His life, though not prosperous in our common language, had yet yielded him the blessings of the state. If strangers had not heard his name, he was cherished, honored, as few men are, by those who knew him best; and if extensive possessions were denied him, he owned what is worth more than the wealth of worlds, a happy home, consecrated by intelligence, piety, and a celestial love. Who had greater cause than he to rejoice in life?—nor ought any tears, but those which we shed for ourselves, be called forth by his death.

"I have thus, my friends, spoken of a good and noble man, and I have spoken not to give relief to a full heart, nor chiefly to soothe the wounded hearts of others. This house is consecrated to God. This excellent, honored man was still a ray, and a faint ray, from the Uncreated Light. What we loved in him was an inspiration from God; and all admiration which does not rise above him falls infinitely below its true object. Let us thank God, who has manifested himself to us in this his servant, who speaks to us in all holy and noble men. Let us not stop at these. If we do, we bury ourselves in the finite, we lose the most precious influences, the holiest ministry of living and departed virtuous friends.

"We say of the good man whom we have lost, that he has gone to God. Let us, too, go to God. Let us humble ourselves before him for our past impiety, irreverence, unthankful insensibility to his infinite perfection; and with new affection and entire obedience, let us consecrate ourselves to Him, from whose fullness all that is beautiful and glorious in the human soul and in the universe is derived.

"I have spoken of the friend we have lost, that through him we should the more honor God. We may learn from him, now that he sleeps in the ocean, another lesson. We may learn the glorious power of virtue, how it can throw a brightness over the most appalling scenes of human life, and can rob the most awful forms of death of their depressing influence. To the eye of sense, what a sad spectacle was the friend we have lost, first encircled with flames, then weltering in the cold, lonely sea.

"At the moment of hearing the sad news, a feeling of horror oppressed me; but soon a light beamed in this darkness, and it beamed from his virtues. The thought of the spirit, which I had communed with, gradually took the place of the body, which had been taken from us under circumstances so appalling. I felt that the spirit which had informed that body, had spoken through those lips, had beamed from that benign face, was mightier than the elements. I felt that all the waves of the ocean could not quench that spark. I felt how vast, how unutterable the transition from that burning deck and pitilese sea to the repose and life of a better world. I felt, that the seal of immortality had been put on the virtue which we had seen unfolding on our earth. Still more, his virtues have gradually brought back to my mind his outward form divested of painful associations. As I now think of the departed, his countenance is no longer defaced by death. It rises to me in the sweetest, noblest expression which it wore it life. Thus the body, through which virtue has shed its light, becomes hallowed and immortal to the memory and the heart. And if this be true, if goodness be so Divine, as to gain and shed glory in that awful change which dissolves the outward frame and tears us away from the earth—shall we go on to live to the earth, to outward, material, perishing good? Shall we continue to slight, and refuse to secure, imperishable virtue?"

Digitized by Google

THE

UNITED STATES MAGAZINE

AND

DEMOCRATIC REVIEW.

Vol. VII. JUNE, 1840. No. XXX.

THE WAR OF THE FIVE CAMPAIGNS.

It will not be enough, in the approaching Presidential contest, that the Democratic Party shall merely prevail by an ordinary majority. With such a result we shall acknowledge ourselves dissatisfied, disappointed. We must teach our opponents such a lesson as they have never yet received. We must administer a rebuke, a punishment, not soon to be forgotten, for this great national insult by which they, as an organized party, have afforded their last and worst illustration of that old and profound contempt for the intelligence of the People which has always been, as it will continue to be, the invariable source of all their faults and all their follies.

Our struggle, we repeat, must not be now for mere victory. Of that, indeed, unless our whole theory is wrong from its fundamental principle—unless our confidence in the capacity of the broad democratic mass of our citizens for self-government, for the discrimination between good and evil, between truth and falsehood, when both are presented distinctly before them, be but what our opponents have so often pronounced it, a baseless delusion, springing out of an exaggerated over-estimate of the dignity and worth of human nature as it exists in the common mass of men—of that, indeed, we cannot entertain a single possible doubt. But that is not now enough. A mere majority would scarcely constitute a victory; and would still leave it as a subject of grief and shame, that in such a cause as we now contend for, and under such circumstances as mark that contest, our opponents should be able to mislead so large a portion of the community as to command even a respectable minority of the popular vote.

The experiment of the Constitution has now been subjected to a half century of trial. Within that period our Politics have presented a vast variety of aspects—the two great parties between which has been waged the struggle for the ascendency, have occupied a vast variety of relative positions and attitudes. At present they exhibit a

Digitized by Google

phase totally new, totally unprecedented. Our object in the present Article is to point this distinctly out, as a new experiment and test of our form of government. And successfully as our institutions have passed through many a trying ordeal before, we have no apprehensions for the issue of this, the last and perhaps the severest. Once triumphantly passed—as we fearlessly trust in the Providence that has thus far guided our destinies, we shall soon have to congratulate ourselves—and a long period of safe repose seems to await us beyond it; a period which will afford every advantage for quietly and efficiently carrying out many most desirable reforms, in the direction of the general democratic movement of the age, of which the way has been entirely blocked up by the engrossing occupation of our attention, by the one single question of Financial Reform which has for the last ten or twelve years constituted the subject of struggle between our two parties.

That struggle is not yet quite finished—though we believed a year ago that it had then reached it close. It is to be yet a little longer protracted, with a renewed desperation of effort on the part of the defeated side, in the last hope of yet retrieving and recovering all by the fierce energy of what is but its dying convulsion. In dwelling, therefore, upon the character of the present movement on the part of our opponents, it shall be in this connexion, as the closing scene of the great struggle which began in the first term of General Jackson's administration, that we shall regard it. We might ascend farther, and exhibit it in a broader scope of view, as a part of the greater contest between the two antagonist principles and parties which has been carried on with little intermission since the period of the adoption of the Constitution. In no portion of that long history has there appeared a clearer illustration, in more bold relief, of the opposite characters of the two. In none has it been made to appear more signally, that it was between the democratic and anti-democratic principles that the issue lay. But this has already been done, and with great ability, on several recent occasions—on none with more force than in the address of the minority of the Legislature of the State of New York to their constituents. The identity in spirit, in character, and in direction, between the present Whig and the old Federal parties, (with certain modifications very little to the credit of the former,) has been too conclusively established to need farther illustration of its truth—a truth to which our opponents vainly attempt to oppose the fact that a few Democratic politicians at the present day, of various degrees of prominence, were Federalists in years long gone by, in their youth, before the force of early associations had yielded to the demonstration afforded by the progress of our great democratic experiment, and to the influence of the general direction and movement of the American mind.

But our present object, we repeat, is not to go back so far. Con-

Digitized by Google

fining our view to the period embraced within the last three Presidential terms, we shall recognize it as but the conclusion of the contest which has kept the country in a state of violent and imbittered agitation throughout that whole period, on the one single absorbing question of Financial Reform—while we shall at the same time recognize a distinct division of which the whole is susceptible, into several successive stages, each marked by its own peculiar characteristic, or leading idea. Campaigns we may call them, in each of which, while the parties and the objects of the strife remain substantially the same, the ground of action undergoes successive changes, as also the plan of strategy on which the war is carried on in each by the attacking party. It will really afford a curious chapter in our political history, and a brief review of it will not, we believe, be destitute either of interest or of instruction.

These campaigns of the party warfare will be found to distribute themselves according to the terms of the successive Presidential elections, together with those of the intervening Congressional elections, into periods of about two years each. Without taking into account the first two years of General Jackson's first term—in which, although the country was deeply agitated with other subjects, the Bank question had not yet come up—the first campaign may be regarded as embracing the latter two years of that period, being the Presidential contest between General Jackson and Mr. Clay, upon which the Veto Message may be said to have stamped its characteristic, so that this may be designated as *the Veto Campaign.*

The second biennial period comprises the first half of General Jackson's second term, having an ulterior reference to the Presidential, though more immediately to the Congressional Elections. This may be called the *First Panic Campaign*, or *the Removal of the Deposites Campaign.*

The third, comprising the last two years of General Jackson's administration, was the Presidential contest which resulted in Mr. Van Buren's election. The leading idea, on the part of the Opposition, on which this was conducted, was that of dividing the Democratic party, so as to prevent an election by the People. This was an attack of a mere factious coalition against the supposed want of personal popularity on the part of Mr. Van Buren, and may be designated as the *Coalition Campaign.*

The fourth, embracing the first half of Mr. Van Buren's term, may be called *the Suspension*, or *the Second Panic, Campaign*, of which the leading idea was to overwhelm the Administration, like Samson amid the wreck made by himself, beneath the ruins of the prostrate banking system.

The fifth and last is the present struggle in which we are now engaged, being on the Presidential canvass, to which none will deny

Digitized by Google

the appropriateness of the designation which we give it, as *the Log Cabin and Hard Cider Campaign.*

It will at a glance be perceived that each of these periods is a distinct and complete thing in itself—each a separate movement, a separate struggle, having its own beginning and its own end—each occupying a different ground, and organized on a different leading idea, from the rest, although each evolving itself naturally out of the preceding, as a fresh advance in one continuous progress—

"Distinct as the billows, but one as the sea."

It will be worth while rapidly to retrace them, for the purpose of attaining the full idea we desire to present of the character of the last, into which they have all now resolved themselves.

The great measure of the Opposition policy throughout all these five periods has been, as it is plainly still, the re-establishment of a *National Bank*, as the corner-stone of the national paper-money Credit System which is the great object of their enthusiasm. During the last three, it is true, this has not been as freely avowed, the name not as broadly blazoned on their party banner, as before; though no candid man will venture to deny that it remains the fundamental idea of their whole system of financial policy, which they are only anxious for the means and opportunity to carry into effect. But during the first two of the periods of which we are speaking, it constituted, emphatically and avowedly, the one great absorbing question on which turned the whole issue between the two parties. These two, therefore, may be also designated as peculiarly *the United States Bank* campaigns—though we would by no means be understood as implying by the distinction the slightest doubt of the fact, that the issue is now not less clearly in point of fact—as it has ever since been—upon the question of the recharter of a National Bank, than when by the Veto Message General Jackson first raised it, consenting to be a candidate for re-election to afford a direct and distinct test of the popular will as to its decision.

The first campaign was directly upon that simple issue. Four years in advance of the expiration of its charter—six years, in fact, including in the account the two years allowed for the winding up of its affairs—the Bank itself brought the question to bear upon an impending Presidential election, by applying to Congress for a renewal of it. It found or made decisive majorities in both branches of that body in favor of the application. The President vetoed the bill for the recharter, and threw himself upon the country. Here was a vast field of discussion opened, involving great principles both of political economy and of political morals—where both parties met manfully and fairly in the struggle of argument, each stimulated by strong convictions and a sanguine confidence. The Bank fought its battle bravely and boldly, though certainly with a very unscrupulous reck-

Digitized by Google

lessness of means. Its chief weapons of attack were arguments—the speeches, articles, of its legions of advocates—with which it strewed the country by the hundred thousand. Of this alone, immense as was the advantage in the contest thus derived from its exhaustless command of money, we have no disposition to complain—though it was certainly a gross misuse of the public funds in its hands, replete with danger to the freedom and purity of our institutions, and accompanied with much flagrant corruption of the public press. Still it was all argument—discussion—open and candid as well as vehement, on the constitutionality and expediency of a National Bank, and on the merits of the great institution which was the subject of the contest, and so far it was a frank and fair fight; and if we had been defeated, we should have had no right to complain. It could only have ascribed either to the weakness of our own side of the issue, or to the incompetency of our own advocacy of its merits.

We do not here bring into view those varied questions which connected themselves with the main issue; nor the several acts we might refer to, on the part of the Opposition, of a strong partisan character, which had the effect of adding an unnecessary tinge of bitterness to the natural excitement of such a great popular contest—such, for example, as the rejection of Mr. Van Buren as Minister to England. The main issue was still as we have stated it, the simple question of the recharter of the Bank, and the mode in which the struggle was carried on was that of manly and honorable discussion, on between the two great parties between whom it lay.

Well, it was fairly fought and fairly won. The Bank was defeated, and the high hopes which the Federal party—(we give the old name to the old thing)—the high hopes which the Federal party had derived from their alliance with this stupendous money power, placed in the van of its array, were dashed to the ground. General Jackson was sustained by an immense electoral majority. A decided anti-Bank House of Representatives was brought in, by the same popular vote, at the one side of the Capitol, while Mr. Van Buren was seated, in the proudest of triumphs, in the presiding chair, at the other, over the very body by which that bitter personal insult and political outrage had been cast upon him. This campaign was thus over. The attack upon the Administration had been beaten back and broken down. There was an end of it. Such, then, was the *Veto Campaign.*

The second period we have designated as the Campaign of *the First Panic*, or of *the Removal of the Deposites.* In this, we observe a different movement—a different strategy—though still in the immediate direction toward the same end, namely, the recharter of the Bank. An anti-Bank House of Representatives was now in power, with a President against whose certain Veto a majority of two-thirds would be requisite to carry such a measure. This campaign was made to bear directly upon the Congressional elections, with the view

Digitized by Google

of obtaining that majority. There was still ample time to extort a renewal of the charter from the Federal Government, if the thing were only in itself practicable; and it was doubtless with a view to this double chance, that the Bank applied so long in advance for its recharter. The system of operations of this campaign was as boldly laid out as it was energetically carried into effect. The leading idea was—to quote the common language of the day—to apply 'the screws' of the vast power of the Bank over the paper currency of the country, so as to produce such a degree of universal distress throughout the mercantile, and all the other great interests interwoven with that of commerce, as should break down the stand taken by the Administration; and either compel it to yield, or at least bring in a Congress which could force the recharter upon it by the constitutional majority. This attempt was made with a fearful power and effect. It seems difficult to suppose it possible that either government or people could have withstood it, but for the brave energy with which General Jackson met the crisis, and perceiving already the commencement of the movement, with clear indications of its design and probable effect, broke its force at the outset by the finest act of his life, the famous order, in the summer of 1833, for the Removal of the Deposites. The contraction already begun by the Bank, on the plea of the necessity of winding up its affairs—though having still five or six years of existence for that purpose before it—immediately proceeded with redoubled severity; and in its influence on all the other banks of the country, forcing them to follow in its gigantic wake, worked certainly with tremendous power; notwithstanding the mitigation of its effect caused by the transfer of the public deposites to a small number of the latter institutions, as a basis of assistance to the community to bear up under the cruel contraction inflicted by the Bank. The remembrance of the long agony of the First Panic year has not been effaced even by the magnitude and rapidity of the events in our commercial and political history which have since succeeded it.

But this was not all. The vast money power of which we have spoken was not the only one in the field against the Administration. It was in a close alliance of offence and defence with a great political party which, though a minority, comprised still nearly a half of the nation. The leaders of that party—numerous, active, eloquent, and bold—urged on the campaign with no less vigor, in their sphere of action, than that manifested by the Bank in its own. The Senate was still its nucleus—its *point d'appui*. The land resounded with the echoes of their untiring eloquence, half argument, and half declamation, which mingled in a horrid harmony with the cries of real commercial agony which rose from all its length and breadth. And the circumstances of the times furnished abundant materials for deceptive political declamation against the government, apart from the mere financial question. For in addition to the usual variety of topics, arising

Digitized by Google

out of the vast extent and complexity of its operation, on which an Administration in power must always be assailable an by active Opposition, the very contest in which it was engaged imposed on the former in the present instance a necessity of straining to the utmost, in self defence, the constitutional energies of the Executive office; and great plausibility was certainly given to the clamor of Executive abuse and usurpation, which constituted the leading political argument, as the restoration of the deposites and the recharter of the Bank constituted the leading financial argument. This ground of attack was unquestionably, in the abstract, one of a popular character, and doubtless misled multitudes—strengthened as its influence was by the unnatural and unfortunate coalition (growing out of a long train of peculiar causes) which throughout that period existed against the Administration, between the Federalism of its main body and the ultraism of the State-Rights school, as embodied in the persons of the leading South Carolina politicians. Had this system of attack prevailed, how long and how deeply would not the latter party have had to rue the victory which themselves would have been largely instrumental in securing, to those the farthest removed from the whole spirit of their system of political doctrine!

The struggle was fierce and protracted. The Administration stood up bravely against the storm of attack that raged on every side around it. We need not dwell upon any of the particular events of the struggle. The sentence passed against the President by the Senate—(forgetful of the effects of a similar abuse of their moral power in the case of Mr. Van Buren)—for an alleged violation of the Constitution and the Law, in the Removal of the Deposites; the Protest of the former; and the introduction of his famous Expunging Resolution by Colonel Benton—with the memorable prophecy which he then made, "solitary and alone" as he stood in the act, that the day would come when that Resolution should be carried into effect by the voluntary act of that very body itself—these were the most marked salient points of fact, on the one quarter of the field of the great party contest. While on the other the Bank, by the fearful pressure on the community caused by its severe contraction—compelling the other banks to follow its example, as it had before led them on in the way of expansion—proved itself no less energetic, and no more scrupulous in the use of its enormous power, than the political allies with whose cause its own had now become inseparably identified.

But again did the Democratic Administration, notwithstanding all the thousands that fell away from it, in its hour of seeming adversity, in timidity or treachery, come forth out of the struggle with a triumph proportionate to its long and fierce severity. Again was it sustained by a large majority of the people and of the States. The elections of 1834 settled beyond farther possibility of hope the question of the present recharter of the Bank by the Federal Government. The

Digitized by Google

movement of this second campaign, though to many its success had appeared certain and overwhelming, failed as signally as that of the preceding. Again beaten back, again broken down, by the close of 1834 it was entirely at an end, and the Administration stood as before victorious and safe.

The third of the periods we are here regarding presents again a new movement—a new plan of campaign. The Bank withdraws from the field. The opposite course having failed of success, it now aims at its object in a different way, at the same time that it obeys the fundamental law of its nature which makes large banking profits a primary object. Notwithstanding the plea on which it had justified the preceding contraction and pressure, of the approaching expiration of its charter, it again expands the currency in the beginning of 1835 to an extent and with a rapidity which would be incredible, were it possible for us to question the recorded historical fact. Twenty millions in about five months! Deep and daring plan on the part of Mr. Biddle—and as successful as bold! It has abandoned the idea of extorting a recharter from the Federal Government, but by a subtle stroke of strategy takes advantage of a fatal dissension which arises within the ranks of the Democratic Party of the State of Pennsylvania; corrupts without difficulty a few members of the Legislature; and with an impudent dexterity from which we can scarcely withhold our admiration while most lamenting its pernicious consequences, carries through a bill for the continuation of its chartered existence, with improved privileges, under the specious title of "a bill for the relief of State taxation and for the promotion of State internal improvements!" The financial attack against the Administration ceases. The commercial condition of the country may now be said to work favorably, rather than adversely to it. The other banks are not slow to follow in the wake of the Bank of the United States in the new tack on which the latter leads the way. The heavy and painful pressure of the former policy being removed, and the opposite one of stimulus succeeding, the buoyant enterprise of the country springs eagerly upward and forth, and is ready to rush into the most extravagant excesses of speculation, to indulge in the most insane lengths of sanguine confidence in the future, confidence in everything. The simultaneous accumulation of the surplus revenue in the vaults of the banks co-operates unfortunately with strong effect in the direction of the same tendency. The cause and effect go on, acting and reacting upon each other. Fresh banks are created in every direction—the capitals of old ones enlarged. All is expansion, speculation, progress, rise, confidence, prosperity, extravagance, luxury,—oh, glorious times—oh, golden age!

This campaign, on the Presidential election, is therefore purely a political one. The Bank has formally announced its retirement from politics, and its future devotion of itself to banking business and banking profits. This campaign directs itself chiefly against Mr. Van

Digitized by Google

Buren, and leaves the old President himself comparatively undisturbed in the fruition of his hard-fought and hard-won triumph—leaves him to indulge in the honest delusion from which we have all been since so rudely awakened, of the "improvement of the currency," and "prosperity of the country," upon which he congratulates himself. We say '*comparatively* undisturbed;' for his Administration is severely worried by a restless and reckless minority in Congress, keeping up a constant agitation of the party elements by a parade of charges of corruption against all the Executive departments of the Government; and by Committees of Investigation which skilfully contrive to keep alive a vague partisan excitement and hope, without ever arriving at any results of material value. Of these charges and promises of important future evidence an uninterrupted cannonade is kept up. And wherever throughout all the infinite details of administration presented by so vast a system as ours—extended over so wide a surface—acting through so many thousands of agents—under the dangerous tendency of the disbursement of a redundant revenue—wherever a single point of abuse or defect can be found by the Argus eyes of partisan vigilance, there a vigorous attack is sure to be made, and a thousand ready orators and speakers are ever eager to ring afresh new changes upon the old theme of the corruptions and incompetency of the profligate party in power.

Meanwhile intrigue was actively engaged in compassing the object of which no other means appeared to afford a chance. We have called this period the *Coalition* Campaign. It directed itself chiefly against Mr. Van Buren, though through him against the Democratic Party of which he was the selected representative and candidate. The plan of operation was to conquer by division. The principle of organization was mere party opposition. The object was to prevent any election by the people, so as to take the chances of successful intrigue to defeat Mr. Van Buren of which another election by Congress would afford the opportunity. A number of different candidates were run on the ground of their mere sectional "availability"—one of whom was designed to serve the purpose of at the same time dividing the Democratic Party, and of operating on the Southern prejudice against a non-slaveholding President. The result of this unholy scheme, of which in his enfeebled old age Judge White was made the unfortunate instrument, may probably be said to have cost him his life, in its eventual train of consequences. Peace be with his ashes—we will say nothing in disparagement of his name, though compelled here to allude to the fact of the intrigue of which he was both the tool and the victim. But this plan of operations was attended with no better success than the former attacks of which we have traced the progress and the defeat. Mr. Van Buren was indeed closely run in his candidateship; and toward the latter part of 1836 the necessary reaction from the late expansion of the currency began to make itself sensibly felt, and to produce a commercial distress, of which the fa-

Digitized by Google

mous Specie Circular of July of that year afforded a plausible means of charging the blame to the Administration. He was, notwithstanding, elected by a majority over all the combined candidates of availability; and thus did the Coalition campaign—a campaign of mere party opposition, of mere political intrigue—of which the leading idea was, as we have stated, to conquer by division—result in the same total defeat which had been the fate of the two preceding biennial movements, the Veto campaign and that of the Removal of the Deposites.

The fourth period embraces the first two years of Mr. Van Buren's term, and may be called the *Second Panic*, or the *Suspension* Campaign. This was begun by the Opposition at enormous advantage; and in fact to many it seemed at first impossible for the Administration to attempt to make any stand against the destruction that encompassed it on every side. The old political opposition remained not less vigorous than ever, and was strengthened by serious division, as well as a paralyzing panic, within our own ranks; while instead of the single influence of a National Bank, counterbalanced to some extent by the support of a portion of the State banking interest, the entire system, with the infinite ramifications of its power overspreading the whole country, threw itself into active opposition. This history is too recent and familiar to need to be again retraced by us. All remember the distress of the country, the triumph of Federalism. The predictions of its advocates, of the mischief which was to follow the destruction of their Great Regulator, being thus verified, the project of a great National Bank reappeared in the foreground of the political discussions, with vastly enlarged dimensions. The Administration lay for a while seemingly overwhelmed, and irretrievably so, by the combination of adverse forces that pressed against it. During the first year it was everywhere defeated. But within the course of the second how gloriously did it make the tide of battle roll back again! Throwing itself on a great and bold democratic principle, the disconnection of the Government from the whole banking system —facing, undismayed, and supported by the consciousness of a righteous cause, the storm of attack that raged around it—and appealing in fine strains of argument and eloquence to the sound judgment and sound heart of the People—it not only maintained itself, but reconquered all, far more than all, that it had lost; so that within the course of the year 1839 it seemed to have acquired a consolidated ascendancy that it had never known before. Odious as the name had at first been, the Congressional elections had brought in a clear Sub-Treasury majority. The Opposition was fairly broken down. Covered with a weight of odium which could never be cast off, no other possible future appeared to lie before the Whig Party, lately so insolent in its triumph, than dissolution, with a view to the chances to be hereafter afforded by new combinations of the political elements on new questions and new men.

Digitized by Google

Such, then, have been the first four campaigns of the holy war in which we are engaged—the struggle of the Democratic party for financial reform, in the action of the General Government, against enormous accumulations of money-power, controlling two-thirds of the press, and in offensive and defensive alliance with a great political party, ambitious, vigilant, violent and indefatigable. We are now in the midst of the fifth—the fifth, and we trust and believe, the last. Each one of these, it will readily be perceived, has been a separate movement from the preceding—all differing in their distinct characteristics, though alike in the mutual bitterness of party spirit which they have unfortunately engendered; and alike too in their result. The Democratic party, in possession of the administration, has throughout been on the defensive, and throughout victorious in that attitude. The Opposition have been the party of attack; and in the successive forms in which they have varied their assaults, with the varying progress of events, their leaders have certainly exhibited much ingenuity in keeping alive the delusions and excitement of their followers, as well as a perseverance and courage worthy perhaps of a better cause and a better fate. But in their present campaign they have brought a deep disgrace not only on themselves, but on our common country, and the institutions of democracy.

This must be called the "Log Cabin and Hard Cider" campaign—and must unquestionably stand without a parallel in our past political history. It presents, as before remarked, a totally new phase in our party politics—a new experiment upon our institutions. We were justified in inferring, a year ago, from the past history and present aspect of the party contest, that no other alternative but dissolution remained to the Whigs—that no farther chance of success, no farther ground to be occupied, was left to them; for though the prediction has not been realized, yet is it very certain that the expedient to which they have had recourse was one to which there has been no former precedent to direct our attention. They have not yet gone to pieces. They have not yet given up the vain struggle in despair. On the contrary they are making a more zealous and active effort than ever oefore—and apparently with an infatuation of hope and confidence unknown in any of their former assaults upon the democratic ascendency. One struggle more—one last rally, to concentrate the courage and energy of despair for a sudden and bold dash, which may yet retrieve with a sweeping success all their past losses and atone for all their past defeats—this is the idea of their present movement. The Presidential election of this year affords the opportunity—one or two coincident circumstances seem to favor it—it can never in all probability return, and certainly not for four years—and the most powerful motives of interest, of ambition and of partisan passion stimulate to the effort of taking advantrge of it. They remember that it was thus that Bonaparte conquered at Marengo—but they forget that he tried in vain the same tactics at Waterloo.

Digitized by Google

They have struck upon a new idea. Like the Messenians of old from the Spartans, or the Russians of Pultowa from Charles, they have at last learned from defeat the very art of victory! We have taught them how to conquer us! It was the dazzle of a military title that was the secret of General Jackson's inexplicable popularity—why, then, might not the name of General Harrison 'tickle the ears of the groundlings' with the same charm that made that of the old hero of New Orleans such a tower of strength? The hickory-tree, too, played a conspicuous part in the old Jackson days, as a popular rallying cry of the friends of the stout and stalwart old man, of whose characteristic traits its uprightness, firmness, and excellent serviceable qualities seemed to constitute it a natural symbol and representative—why, then, might not the watchword of a "Log Cabin and Hard Cider," however unmeaning and ridiculously inappropriate, answer a similar purpose of rousing the hurrah of a popular enthusiasm?

Thus has Federalism reasoned—and thus has it actually reasoned itself into the delusion that after all its successive disappointments, this new campaign is to succeed in overthrowing the Administration that has triumphed over all its former attacks, and is to turn back that mighty movement of democratic reform which it is the mission of this Administration to carry forward!

In the prosecution of this idea, we see them straining every nerve to affect a popular character—at the same time that they in reality betray, more clearly even than when it was not disavowed, that contempt for the intelligence of the People which constitutes the foundation of their entire political theory. The plan of operations was organized at the Harrisburg Convention, and has been zealously carried out ever since, throughout every section of the country. It consists in avoiding all public expositions of their principles, of the views and intentions which they would bring with them into power if successful—in carrying on an active opposition on every available point, of a mere partisan character—in keeping up a series of elaborate demonstrations, on the grandest scale that the number and means of a large and wealthy party will permit, of a popular enthusiasm, which it is imagined will tend to create that which it feigns to be—and in playing off before the ignorant mass upon whom all this is designed to operate a great variety of silly mummeries calculated for the presumed level of their capacity, in which log cabins and cider barrels play the chief parts. This is the strategy of the fifth campaign in which we are now engaged.

In furtherance of this ludicrously impudent imposture, we see too the attempt to appropriate the name to which they also ascribe much of our popular strength. They are now, forsooth, the "*Democratic* Whigs"—and so far as regards external demeanor and appearances they carry it out bravely enough—out-Heroding Herod—though it must be confessed that like the sudden metamorphoses we sometimes witness in the course of the plots and intrigues of the

Digitized by Google

stage, they do enact the unfamiliar part with an elaborate superfluity of swagger which cannot but betray the grossness of the deception to every eye but that of the most determined blindness.

Widely, widely do they miscalculate, when they expect to succeed in such a contest by such means; and we shall confess ourselves grievously disappointed if they do not receive at the coming election a lesson, a punishment, commensurate with the grossness of the national insult of which, by such appeals to the popular ignorance and folly, they are guilty. If the institutions of democracy are now for a while brought into contempt in the eyes of the rest of the world, by the spectacle which our country now presents—with one of its great parties canvasing on a Presidential campaign on such a plan of operations—the disgrace must be redeemed, the wrong atoned for, by the severity of the rebuke with which it must be repelled by the just indignation of an insulted People. We have not been wrong when we have relied upon the sober intelligence, the instinctive sagactiy, of the democratic mass of our citizens to judge rightly between the true and the false, when fairly exhibited in contrast before them, as has been amply done in the present contest, as well by the practical developement of events as by theoretical argument. We have no fear that our staunch Democracy who have so firmly withstood all the open attacks and ambushed snares of Federalism during the past ten years of struggle between the two antagonist parties and principles, are to succumb now to the feeblest of their attacks, and the shallowest as well as most impudent of their stratagems. Their main reliance, to favor the success of their present movement, is upon the fact of the general reduction of the prices of labor and of agricultural produce, caused by the present contraction of the currency consequent upon the recent double collapse of the credit system. True, this circumstance—the only new element entering into the question since our great electoral victories of 1838 and 1839—may constitute the present struggle a somewhat severe test of the intelligence and firmness of the people; but it is a test which we are well assured they will pass through with honor and triumph. This question is a much simpler one than our opponents imagine, mystified as they are themselves by the errors of their own self-delusive theories in relation to currency and credit. Instead of operating adversely to the progress of sound opinions on this most important subject, and throwing the people back again into the arms of the paper-money credit school, the practical experience now felt, of the fluctuations inseparable from such a currency as that heretofore and now in use throughout the country, by bringing the subject home to the observation and reflection of every man, will exert in the end a very beneficial influence in favor of our principles and our policy.

The laborer who finds his wages reduced a quarter or a third, finds also a corresponding reduction in his rent and clothing, while he buys for five dollars the barrel of flour for which he well remembers the

Google

hard necessity of paying ten during the late period of inflation. And the farmers who constitute the main bulk of our party have neither forgotten former equally severe reductions of prices, under the undisturbed operation of the same system which causes the present, nor are they so blind, in their presumed incapacity to think upon such subjects, as not to perceive the necessary tendency of the system to these periodical fluctuations; and that the whole scope of the financial policy of the Administration is to check and moderate that tendency so far as in its power—to give a healthy stability to that most important national concern, the measure of value, on which it may without exaggeration be said that all its greatest interests, physical and moral, are more closely dependent than on any other influence that can affect them.

The People understand all this, and the truth is daily growing into brighter and stronger relief before their eyes. They perceive how entirely the Credit System school (we speak of the champions of that pseudo-credit system which has been ruling and ruining the country for so long) have been driven from the argument of which so keen a struggle has been waged between them and the Administration during the last few years—how completely all the points the latter has been contending for, and which constitute the amplest justification of all its measures, have been sustained by the demonstration of time, and have been virtually yielded by its opponents—how feebly and absurdly, while the latter still oppose the great measure of the Independent Treasury reform, they yet shrink from any frank avowal and advocacy of either of the only two other possible systems, a National Bank or a revival of the twice exploded Deposite Bank system. All this the people see and understand; and it is idle for our opponents to attempt to divert them from the necessary conclusions in favor of the Administration, its measures and its men—and least of all, by a system of electioneering which, to the injury inflicted by the action of their pernicious financial principles, adds the insult of the most utter and undisguised contempt for the understandings of those to whom they address it.

Yet a few months longer, therefore, of firmness and honorable exertion, and all will be safe and well—the Opposition will be irrecoverably broken down—the Whig party dissolved—the fiscal action of the Federal Government reformed—the indispensable basis of national prosperity and happiness laid in an improved stability of the currency—the original design of the Constitution at last brought into play—the money-changers driven from the temple of our Liberty—the present gross insult to our democracy and to democratic institutions worthily rebuked and punished—and this long struggle of reform which began more than ten years ago, and of which we have traced the victorious progress through its first four periods, will be gloriously closed in a more signal triumph than any of the former, in its Fifth and Last Campaign.

Digitized by Google

JOHN BROWN.—A TRUE STORY.

BY A WORKING MAN.

JOHN BROWN was the son of a poor but honest laboring man, who, at the time of his birth, lived in the great street called the Bowery, in the city of New York, and who, notwithstanding his wages had never risen above seventy-five cents a day, good hard money, had managed to buy a lot, and build a comfortable two-story house on it, by the savings of his labor. He was a very honest, prudent, religious man, and practised on the old maxim of always "*saving something for a rainy day.*"

Like most hard working people, John's father had a good number of children, all of which he and his wife managed to bring up in a respectable manner. By the time the boys were ten or twelve years old, they ceased to be a burden on the old man, and the girls could do a hundred useful things, when they grew as high as the table. Somehow or other the family were always neat and clean, and everything inside of the house as nice as a fiddle. People often wondered how John's father could do all these things with seventy-five cents a day. But the old man was industrious, his wife a prudent body, that never went to abolition meetings, and providence always takes good care of such honest people. For my part, I hardly ever saw the world or fortune turn their backs upon those who were deserving of their good offices.

At the time of John's birth, there were no public schools, where people could send their children for nothing, and be thanked for it besides; but somehow or other, not only John, but all his brothers and sisters, were either taught, or encouraged to teach themselves, to read and write, and cast up all such little accounts as they had occasion to pay or receive. I lived in their neighborhood, knew them all; and I must say, I believe they were as honest, as wise, and as happy as most of their betters, as they are called, who take such mighty airs on themselves.

John grew up, like all the rest of the family, in the paths of industry, economy, and sobriety, until he was old enough to be apprenticed to a trade, when there was great debate and consultation about the matter. The good woman wanted him to be a blacksmith, because, she said, Tubal Cain was of that business, according to Scriptures; while the old man, who had a mighty veneration for the great Franklin, was for making him a printer. John himself was for learning

Digitized by Google

the carpenter's business, but, like a good lad, resolved to do as his parents wished. The thing was to decide between the two, which was done in the simplest possible manner, by each one insisting upon yielding to the other, instead of standing out obstinately for their own opinions. This is the best way I known of to settle such matters, as I remember to have heard my grandmother say, who was a very 'cute woman, and always had her own way, by giving into the wishes of the old man, who was so wilful, that he could not bear to do as he pleased, without a little contradiction.

Be this as it may, it so happened, that John was at last apprenticed to the printing business, where he served out his time, honestly and faithfully, and was afterwards employed by his *Boss* as a journeyman, for several years, during which time he greatly improved his mind by reading the books which he printed, at odd hours, when he had nothing else to do. He managed also to save something from his wages, which he offered to his father. But the old man refused to take a penny, telling John he did not want it, "for he had saved something for a rainy day." John therefore left his little savings in the hands of his employer, for people were not so much afraid of trusting one another at that time, as they are now-a-days.

About this time it came to pass that Banks began to increase and multiply all over the land; and as paper money grew plenty the prices of everything began to rise, not because they were worth more, but because money was worth less. People began to borrow money to trade with, and an increase of business brought about a new demand for labor, which produced an increase of wages, so that those who had before only received seventy-five cents, or at most a dollar a day, in hard money, now got one-third, or one-half more, and sometimes double, in paper. John was delighted with this, but old Brown shook his head, and was the first to give these Bank Bills the name of 'Shin Plasters.'

John was now of an age, when young fellows generally think of settling themselves in the world; and having not only a little cash in the hands of his *Boss*, but being encouraged by the rise in his wages, made his bow to a clever Jersey woman, of his own condition in life, got married, and settled himself down on a snug little place in the neighborhood of his father. As this led him into some expense, he called on the Boss for the money he had in his hands; but the Boss had borrowed so much money of the Banks, that he had enough to do to take up his notes, and so he put him off for that time with promises. John did not much like this, but as his wages were regularly rising, he thought he could get along well enough for the present.

His wife was a notable woman, as times go, though she would be urging him on, every now and then, into little expenses which might better have been let alone, because, as she said, he could afford it, his wages being so high, and every now and then getting a peg higher.

Digitized by Google

But the old man shook his head whenever he saw any new finery about the house, and was always telling John "*he might better save something for a rainy day.*"

By degrees, as the Banks multiplied, and hard money disappeared to make room for the Shin Plasters, as old Brown always called them, the cost of supporting a growing family, gradually increased, far beyond the rise of wages; flour and beef, and every necessary of life became so dear, that John every day found himself poorer and poorer, the higher his wages rose. It was hard work to make both ends meet, and he sometimes, mustered courage to dun the Boss, who was so busy, borrowing money of the Banks, and buying lots on speculation, that, though everybody said he was immensely rich, he never could find it convenient to pay his debts, and was so harassed for money, that he hardly knew which way to turn himself.

At the end of the second year of his marriage, the landlord came round and gave him warning that he was going to raise his rent fifty per cent., as property was getting to be so immensely valuable all over town. John scoured the neighborhood far and near, to find a cheaper house, but it was everywhere the same. New Banks were chartered every session of the Legislature; paper money increased to such an extent that it became almost worth nothing; everybody, except poor laboring men, could get as much as they asked for, and though his wages were somewhat increased, John found to his cost, that the prices of everything else increased much faster than his wages. Though he earned half a dollar a day more than he did a year or two before, the difference in the rent of his house came to more than the difference in his wages, and the rise in the price of all the necessaries of life was just so much money out of his pocket.

John came home, one day, after wasting the better part of a whole week in looking about for a cheaper house, and said to his wife: "*Wife, we must cut our coat according to our cloth, and haul in our horns a little.*" "*Haul in a fiddle-stick,*" replied she; "*there is Tom Green over the way, who don't earn as much as you, by two shillings a day, lives in a better house, and spends more then we do. I sha'n't haul in my horns, I promise you. I have been used to live in a certain style, and shall continue to do so, as long as you can earn two dollars and a half a day, as you do now.*" It was in vain John told her that two dollars and a half of paper money, was not equal to half that sum in old times hard cash; and while they were disputing, the old man happening to come in, the matter was referred to his decision. "*John,*" said he, "*beware of the temptations of Shin Plasters. I've got a great pocket-book full of continental money, the earnings of some of the best years of my life, which, when I was starving, would not procure me a loaf of bread. Beware, I say, of Shin Plasters, and always take care to lay up something for a rainy day.*"

Digitized by Google

"A fiddle-stick, for rainy days," said the wife; "rainy days will take care of themselves, as well as sun-shiny ones." "Daughter," quoth old Brown, "take care you don't lie out of doors some rainy day."

The short and the long of the business was, that John was fain to take the house another year at the new rent, and old Brown became his security for the payment. The year went round; John worked and slaved harder than ever; and though his earnings still increased, he found the prices of everything increased still faster, so that his rent continued to go behind hand, and, at the end of the year, six months remained due. The landlord insisted on being paid, as he had a right to do, for landlords have their debts to pay as well as tenants, and finally old Brown was obliged to advance the money, for the Boss was now richer and more in want of cash than ever. John dunned him hard this time, but received a pretty broad hint about being discharged, that shut his mouth for that time. People that pay the piper for others to dance have a right to give them good advice, and old Brown, as he launched out his cash for the rent, took the liberty of saying: "*John, don't forget what I have so often told you. Always cut your coat according to your cloth, and lay up something for a rainy day.*"

John shrugged his shoulders, and looked ruefully at his wife, who muttered, "*a fiddle-stick for rainy days,*" while she was watching Tom Green's wife, who was just going to take a ride out to Harlaem in a Jersey wagon.

The landlord this year clapped a fifty dollars more rent on the house, and old Brown again stood security, for I will tell you a secret. Though he continued to talk as he used to do from the mere force of habit, he began to act differently, from the force of example. Seeing everybody selling their property for three or four times what it would have brought before paper money became so plenty, and speculating, and growing so rich that they all set up their carriages, and visited Saratoga Springs and the Falls of Niagara, the old man began to feel such an itching to have a finger in the pie, that he could hardly keep his hands out of it. Every day he saw his neighbors selling their little houses, for the price of big ones, and buying whole squares out of town with the money, or rather on credit, which old Brown by degrees began to think was much better than cutting the coat according to the cloth and saving something for a rainy day. He was offered such a price for his house and lot, as made his hair stand an end and fairly turned his brains. In fine, such is the difficulty of resisting the example of all around us, that in an evil hour he disposed of his property to Tom Green, who, nobody knew how, had all at once got possession of I don't know how much property, and rode in a coach with gold-mounted harness. The secret was that he had become a Bank Director, and manufactured his own money out of nothing. He paid

Digitized by Google

the old man in Bank notes, for he had got over his dislike to 'Shin Plasters'; but the moment he got it, he felt it as it were burning his fingers.

What to do with it he did not know. He had become suddenly as mad as his neighbors. Tom Green became his oracle and adviser, for I have often observed that a successful blockhead always passes for a Solomon. He talked of nothing but great speculations, and was at last persuaded by Tom Green to go halves with him in purchasing a great swamp, about five miles out of town, for the first payment of which he parted with all his money, and for the remainder joined with Tom in becoming responsible. The swamp being valued at two hundred thousand dollars, old Brown now considered himself worth at least a hundred thousand, and began to put on the airs of aristocracy, which fitted him about as well as a shirt does a broom-stick. He went about with his hands in his breeches pockets, talked of nothing, and thought of nothing but great speculations, and if anybody had offered to sell him a tract of land in the moon, he would have caught at it to a certainty. There never were two men so unlike as Peter Brown the shoemaker and Peter Brown the speculator.

He began to be ashamed of his son John's being a journeyman printer, and resolved in his own mind to make a gentleman of him as soon as he had realized—I believe that is the word—his great speculation in the swamp. John's wife also began to be in the fidgets, at seeing Tom Green's lady cut such a dash, and was always dinning in his ears, how shameful it was for the son of such a rich man to be printing Bibles.

But old Squire Brown, as the neighbors now called him, like John's Boss, though a mighty rich man, had special little money, and, in fact, was as poor as a rat; for the swamp, though immensely valuable, as everybody said, did not bring him a penny a year. So far from this, it was continually bringing him in debt, for taxes, assessments, and the Lord knows what—for I don't pretend to understand these things, not I. For this reason the old man's wealth was of no service to John, who could never get anything out of him, not even one of his old sayings, and the poor fellow continued to labor incessantly, to make both ends meet, while they grew farther than ever from each other every day. The poor fellow began to feel his spirits flag, and his strength failing, under present toil and future hopelessness, for though a young man, he had sense enough to see that it was impossible for so many people all to grow rich of a sudden; that money made out of nothing would come to nothing at last, and that the old man was only following a Jack-o'-lantern into a great swamp where he would stick fast the few remaining years of his life.

People like old Brown, are generally the last to be infected with any prevailing notions, and if they fall into them at all, it is generally only to become their victims. They get hold of the fag end, like

Digitized by Google

those who come last at a feast of rogues at a tavern, get nothing but the crumbs, and are left to pay all the reckoning. Just so it was with old Daddy Brown. He had come too late to the fair. The play of 'Robin's alive' was just at an end when he joined it, and the fire went out in his hand, before had time to pass it to another.

To use a phrase which I have lately often seen in the newspapers, the "bubble burst," and thousands of men that were mighty rich the day before, were as poor as Job's turkey the day after. The Banks had lent out so much paper money that they were over head and ears in debt themselves. Everybody owed them and they owed everybody. So they stopped payment in order that they might have leisure to make other people pay. As all the money had, for some years past, come from the Banks, and hard dollars were as scarce as flowers in winter, when they stopped payment, everybody followed their example, for as they lived by borrowing, they went to the dogs when they could borrow no more.

But though the Banks had stopped, as they said, for the safety of the community, and would pay nobody, they took good care to make everybody pay them to the last farthing. Old Daddy Brown was one of these unfortunate people, for he had, as I said before, joined Tom Green in giving his notes to Tom's Bank, for the residue of the purchase money of the great swamp, which now proved a Dismal Swamp to him, for Tom had "failed," as they say, without paying anybody a dollar. Nobody knew where he had got his money, and nobody could tell what had become of it. The Bank called on Daddy, or Squire Brown, as he was called, for the payment of his notes, and the old man applied to the directors to lend him the money or renew his notes, both of which they declined. He then, though it almost broke his heart to part with such a glorious speculation, offered to give up the great swamp if they would square accounts with him, upon which they laughed in his face, and told him his great swamp was a great humbug.

Poor Squire Brown was in a quandary, for just about this time the corporation demanded payment of two years' taxes and assessments on the great swamp, which being valued at two hundred thousand dollars, they amounted to a swinging sum. Squire Brown was now between hawk and buzzard, and the upshot of the business was, that the great swamp was put up at auction, and not bringing enough to pay the taxes, the corporation sued him for the remainder, so that of all his mighty speculation nothing remained but a debt which he could not pay.

The old man had dreamed he was rich, and now waked up a beggar. He was turned out of house and home, wife, children and all; and though John was almost as badly off as himself, he took him in, that, as he said, they might all starve together. John's Boss had gone the way of all flesh in those times, for his speculations had all failed with the

Digitized by Google

failure of the Banks, and John's money went with the rest, for all his property had been pledged in payment of his notes. The workmen were discharged, and John could find no employment elsewhere. Everything was at a stand, except that people must eat and drink, and are just as hungry when they can find no work as in the best of times.

Squire Brown never recovered the shock of the failure of his great speculation, for he was too old to begin the world again, and when he saw the misery all around him, and how John every day came home, sometimes without finding work, and always with less than enough to supply the common wants of nature, his heart sunk within him, and in a little while he pined himself away, and died miserably. His last words, except a short prayer which he offered up for forgiveness, were: "*John, my son, never forget to cut your coat according to your cloth, and lay up something for a rainy day.*"

To pay the expenses of the funeral, John was obliged to sell some of his furniture, which the landlord seeing, and fearing he should lose his rent, seized on the rest, and left them with nothing but the bare walls; for like everybody else, he was hard pushed for money, and followed the old maxim, "that charity begins at home." The family could no longer live together, and parted to seek their fortunes through the wide world, never to meet again. What became of the elder ones, I never heard, but I hope Providence took care of them, for at that time everybody had enough to do to take care of themselves.

John took his way with his wife and little children to look for a resting place, which he at last found, in a miserable hovel, where there were three families huddled together, each in a corner, in a dirty alley, about fifteen feet wide. It was a den of misery and vice, and here he was obliged to leave his wife and children day after day, to seek the means of keeping them from starving. It was seldom he could find work, for thousands of people had been driven to the city, from all parts of the country, by the great demand for labor created by the immense amount of paper money put out by the Banks, which was employed in all sorts of wild projects which the failure of the Banks had brought to the ground. A great portion of those who had thus left their business at home, and flocked to the city, were now without employment, and instead of there being a demand for labor, the laborer could find neither occupation nor bread.

It did not use to be so in the good old hard-money times, when everything went on as regular as clock work, and any man of good common sense could look a little ahead with some degree of certainty. To my mind those were much better times than the present. Then any honest, prudent, industrious laboring man, could live in a house by himself, which, though small, was large enough for all his purposes, and the rent of which was so cheap, that it came within the compass of his means, instead of being huddled together three or four

Digitized by Google

families in one house, or one room, like poor John Brown, with a parcel of strangers, among filth and all sorts of wickedness. Then the land about the great towns and cities was cheap; and an honest man could in his youth save enough to buy a lot, and build himself a house on it; but in these paper-money times, forsooth, every foot of land, that can be seen from the top of a steeple, is held to be worth as much as will cover it with paper dollars, and speculators give such prices for it, that they cannot afford to build any but fine three story houses, only fit for rich people to live in; and so the poor are driven for refuge into hovels and cellars, where they die miserably for want of pure air and wholesome food.

Winter now set in, and a hard winter it was, especially for those without regular employment and a comfortable home. The snow fell early, and laid a long while, and John and his wretched family could only keep themselves from freezing, by huddling together at night with the rest of his room-mates. He could only get a little work now and then, for most of those who had employed him had stopped their business, because the Banks could not lend any more money, and others would give the poor no more work, because they were, as they said, in favor of the government that had brought about all these evils, and they wanted to convince them of their errors by suffering, since they would not listen to reason. One by one, John's little ones died for want of shelter, and the common necessaries of life, for John was too proud to beg; and though in better times, this would have cut him to the quick, yet now he was almost glad when he saw them close their eyes in death, because it was so much taken from the burdens of his life. It is thus that extreme poverty hardens the heart, and weakens all the domestic affections.

One cold, stormy day, when the north-east wind blew a gale, and the driving sleet coated the trees and houses with ice, and the streets were slippery as glass, John went forth in search of some job to keep him from freezing or starving, for one day at least. But he came home with empty hands and empty pockets, wet to the skin, and shivering with cold. That night he laid himself down in despair, and never rose again. Death laid his cold hand upon him, and after a short struggle, he yielded his breath to Him by whom it was given. The last words he ever spoke to his wife, were "*Would to God that we had cut our coat according to our cloth, and saved something for a rainy day.*" His wife for once agreed with him, and replied, "*I wish to Heaven we had, John.*"

Though but a poor journeyman printer, and a still poorer scribe, I have written this story, which is all true as the Gospel, to show to all my fellow-workingmen the mischiefs and delusions of Banks and paper-money, and the folly of not saving something for a rainy day, as old Squire Brown used to say, before he turned speculator. People that thrive by Banks, and grow rich at the expense of the poor laborers,

Digitized by Google

may talk as much as they please, about all their distresses being owing to the Democratic Administration, but we poor men ought to know better. We ought to see, for it is as clear as the sun, that all the evils we now suffer, or may hereafter endure, are owing to the cruel pranks and grasping avarice of the Banks, that one day cheat us with imaginary high wages, by a flood of paper money, allure us into habits of extravagance, which beget a carelessness of the future, and the next, leave us high and dry ashore, like so many wrecks after a storm. It is from evils and temptations like these, that the Democratic Administration is now trying with all its might to relieve us, and it is for this that those who wish to live by the sweat of the poor man's brow, are striving to cry down, and trample it under foot, that they may ride rough-shod over us, and make our future lives, and those of our children, the sport of unfeeling avarice, the victims of unprincipled ambition. Though trodden under foot by these privileged swindlers, we have yet a voice at Elections. There at least we can make ourselves heard, and I beseech you, my fellow-sufferers, as you value your rights and happiness now and for ever, to come forth when the time arrives, and with sturdy hands, and determined hearts, support your friends at the helm in their honest endeavors to put down for ever a system of crying abuses, which has brought thousands of you to an end like that of poor John Brown. If you falter now, you are lost for ever.

THE SUPREME COURT OF THE UNITED STATES.*

We call the attention of our readers to an article in the work cited at the foot of this page—which article is itself a review of the volume referred to in the accompanying citation—because the New York Review may be regarded as the representative of the opinions of a large part of the Whig party at the North on constitutional questions, and as such makes statements, and utters sentiments, that ought not to be kept unknown to the body of the People, nor be allowed to go unanswered. The mass ought to know what views are rife on certain questions, and those who are just forming their opinions on the true construction of the Constitution of the Union, ought to hear what may be advanced in opposition to the heretical notions of the political dilettanti who push themselves upon us at every turn.

It would be worth while, too, for that most estimable class of men whose maxim is to walk in the old footsteps—to let well enough alone—who see fearful revolutions in all change, however slight, and the storm and whirlwind in the cloud which exhibits but the size of a man's

* New York Review, No. IV.—Peters' Supreme Court Reports, 11th vol.

Digitized by Google

hand—who abhor all change or shadow of change in Church or State —who may be still seen at sunny noon in white cravat, broad-tailed coat, and strapless pantaloon, bidding defiance to the progress of time and fashion—it would be well worth the while of this class of respectable old gentlemen, to consider how much real veneration and respect the Whig writers have for the most august tribunal in the nation, when, as in the article before us, they see, that a mere change of the incumbents, happening in the due course of the law, and according to the full form and spirit of the Constitution, draws upon the Court itself the most furious denunciation that party exasperation could suggest. The most "ultra-radical" in this country never wrote a severer article against the Supreme Court, than that here referred to; and yet a few years ago the class of writers to which the New York Reviewers may be said to belong exalted it to the skies as the palladium of our liberties, and the bulwark behind which all that is sacred in private and public right might rest in tranquil safety. Whence this change? How is it that a court so extravagantly lauded yesterday has fallen into such unmeasured odium to-day? Where is that moral, we will not call it political, integrity, that shakes off the trammels of party, and looks with a clear and single eye to the general good, and, as a means of promoting it, aims to gain for our institutions the respect of all classes of men? The anxious inquirer after political truth sees at every turn some new attempt to bend the Constitution to the views of one or the other of the numerous sects into which the Whig party is divided; and it is not strange, that in such attempts we often hear the most shallow nonsense or unconsidered notions proclaimed and pressed as the most solemn political orthodoxy.

In the early part of the criticism before us, we find the Supreme Court of the U. S. charged with nullifying its own power, and refusing to perform the duties assigned to it by the law, for fear of interfering with State Rights. This disrobing one's self of authority is, to say the least of it, a vice not very common to men in power; and if history tells the truth, no former instance can be shown of a court having abridged the rightful authority given to it by the law. We have heard courts complained of for acting upon the old maxim, that it is the duty of a good judge to enlarge his jurisdiction; and the general cry has been, that, with this maxim in their mouths, they absorbed all the power of every kind upon which, under whatever pretence, they could lay their hands. It has been reserved, then, according to the New York Review, for the Supreme Court of the U. S., under the direction of Chief Justice Taney, to narrow its own legitimate jurisdiction; and we have the unusual spectacle, of men so moderate and self-denying, that though they hold their power by a life tenure, and are practically irresponsible, they yet use their talents but to limit their own sphere of action, and bring their court and themselves into an odious and contemptible imbecility.

Digitized by Google

The general tenor and spirit of the article we are examining may be judged of from the following claim of jurisdiction made for the Supreme Court:

"May the Judges throughout the Bench dismiss the narrow, false, and mischievous notion, that in all cases of any doubt they are to turn the construction against the Constitution of the nation; for the interest of the whole ought to be regarded as greater and more precious than the interest of a part, and the will of the whole more commanding than the will of any detached member of the Union."

When we consider that this claim of jurisdiction is made for the supreme judicial tribunal of a limited government, as all admit ours to be, we cannot shut our eyes to the disposition, practically to repeal the Constitution, and to give to that Court unlimited control over the rights of the States, and finally of the whole Union. If Judges are to decide questions of public or private concern with reference to the interest of the greatest number, no limit can be fixed to their jurisdiction, except what every member of a court may think expedient and proper. It would be useless for a State, or for the people of the Union, to contend, that certain rights and powers were reserved to them by their several Constitutions; for the answer would be ready, that the interest of the greatest number is the rule to be consulted, and to that rule particular rights and interests must be made to yield.

We hazard the opinion, too, that this "narrow, false, and mischievous notion," as the New York Review styles it—namely, that in cases of doubt it is proper to refrain from the exercise of power—lies at the very foundation of civil liberty, in all limited and constitutional governments. It confines all public servants to the duties actually prescribed; and obliges them, in every case where greater authority may be deemed necessary or desirable for the public interest, to apply to the people as the fountain of power; and it preserves the harmony of the whole system of government by retaining within their proper orbits the agents to whom the different departments may be assigned. And in this opinion we find ourselves supported by the venerable Marshall, before whose authority the Reviewer will surely not fail to bow with unreserved deference. In the famous Dartmouth College case, after alluding to the delicacy of a question which obliged the Court, not merely to decide upon the validity of the law, but to reverse also the judgment of the highest tribunal in the State, he uses the following language:

"On more than one occasion this Court has expressed the cautious circumspection with which it approaches the consideration of such questions, and has declared that in no *doubtful case* would it pronounce a legislative act contrary to the Constitution."

This distinguished jurist, then, did not think he was undermining the Constitution, or surrendering any of the powers of the Court over which he presided, when he judged it wrong in a doubtful case to

Digitized by Google

nullify the deliberate act of a State Government. Indeed, the contrary doctrine, we have seen, would be fraught with the most serious consequences, and we venture to say, was never advanced for a truth before the year 1838. For if it be admitted, and established as a principle of our government, that in cases of doubt the grant of power is to be presumed—that where a State stands behind the Constitution as a barrier, its defence must be taken away on the plea that the good of the whole requires it—we need no longer criticize the acts either of President or of Congress, but turn our undivided attention to the Judiciary as the concentration of the whole power of the government, with the means of enlarging it to any dimensions they may from time to time think necessary for the public weal.

This unexpected pretension, which would establish, through the aid of courts, a secure despotism, has been most faithfully seconded in a quarter where it might have been reasonably hoped that sounder doctrines would prevail. A controversy arose in Maryland between the Regents of the University and the Trustees, to which latter the privileges and property of the former had been transferred, in 1825, by an act of the Legislature. We have nothing now to say about the judgment of that case; but we hasten to make our solemn protest against the doctrine contained in the following quotation from the opinion of the Maryland Court. Set it side by side with the New York Review, and it takes away any remnant of authority which the latter may have left to the co-ordinate branches of the government. After a course of reasoning intended to prove the act of the Legislature of Maryland unconstitutional, the Court say: "Independent of that instrument (the Constitution of the United States), and of any express restriction in the Constitution of the State, there is a fundamental principle of right and justice, inherent in the nature and spirit of the social compact (in this country at least), the character and genius of our government, the causes from which they spring and the purposes for which they were established, that rises above and restrains and sets bounds to the power of legislation, which the legislature cannot pass without exceeding its rightful authority."

Did it not occur to this most learned court, that men, in the same country and the same age, differ as to *what is* the fundamental principle of right and justice—that what one man considers morally right another rejects as wrong—and that the difference between right and wrong in a moral point of view, and right and wrong in policy, has not been settled to this day, by any authority claiming the unanimous submission of all conflicting opinions. If there be this admitted difference among men, who then is to perform the responsible office of *censor morum?* The Legislature cannot do it, because the fundamental principle rises above, and restrains and sets bounds to its power. The Executive cannot do it, because it has nothing to do with legislation generally; and if the Veto power exists, a decision in one way

Digitized by Google

or the other must have been made before the interposition of the courts. The judges or the people must be the arbiters. The people cannot act in that capacity except through their constitutional representatives, and individually are bound to obey. We are then driven to the conclusion, that if the office exists, it belongs to and its duties devolve, in the estimation of the Maryland Court, upon the Judges. The Legislature may deliberately pass a law which does not in anywise infringe upon the State or the Federal Constitution—which the people may think right—which may in fact be absolutely necessary to their welfare—and the Court itself, the creature and instrument of the Constitution, may declare it a nullity, thus setting at defiance the people, the Legislature, and the Constitution. We have been taught to believe, that according to the theory of our government the people are sovereign, and that they exercise their paramount sovereignty in deciding upon the right and wrong in public affairs by condemning at the ballot box one public servant and elevating and advancing another. But a new light has burst upon us, and we find that the right of censorship belongs to the courts, as the tribunal of the last resort, no matter how clear may be the voice of the nation. It is hard to believe, either the New York Review or the Maryland Court, serious, when such extravagant notions are promulgated.

But to say the least, this loose way of stating opinions is to be deprecated. Men ought to learn, that whether on the bench or in private life, they should approach such questions with all the power of their minds free from a petty ambition to dazzle by well-rounded periods, or startling dicta. We are always willing to maintain the proper authority of the bench, but we are not tender enough to refrain from speaking our mind for fear of the cry so common now-a-days against all free and fearless criticism. We will not be silent when schoolboy essays are ushered forth as the oracular responses of wisdom, and the foundation is laid for principles subversive of our beautiful Constitution. Although we are far from thinking it a perfect creation, we reverence the Constitution as it stands; and so long as it thus stands, unamended by the only power competent to that function, we would not, by construction, add to or subtract from it. All we ask is, that others who pretend to so much veneration, should be governed by the spirit they profess to act under, and not interpolate and distort for the sake of some new theory caught up in a hurry, and dashed off in flowing language for the admiration of a side bar clique. We had a right to expect, that the Judges in the States and in the General Government would lend no ear to such attempts; and we may well be appalled, when we find them originating, where it was most expected they would be the first and sternest to rebuke. We advocate constitutional limitations not merely in name, but substantially and practically, and see danger and evil in all usurpations, whether of the Legislature, the Executive, or the Bench.

Digitized by Google

After what we have seen of the spirit of the times, in the New York Review and the opinion of the Maryland Court, we need not be surprised to hear the alarm cry, that the Constitution is in danger—that the Supreme Court has virtually repealed those clauses by which States are prohibited from impairing the obligation of contracts, or emitting bills of credit, as well as that by which Congress is empowered to regulate commerce. Upon what evidence such sweeping assertions are made, we are unable to discover in the article before us, or in any of the cases brought under its examination; and the manifest temper of the writer teaches us to look for a small display of calm and sober judgment. When we find a course of invective finished by the following wholesale condemnation, we need not be at a loss for the true cause of all the tears so pathetically shed:

"In short, when we consider the revolution in opinion, in policy, and in numbers, that has recently changed the character of the Supreme Court, we can scarcely avoid being reduced nearly to a state of despair of the commonwealth."

We were aware that a certain sect of judges and lawyers set their faces against the Supreme Court as soon as *Chief Justice* TANEY was placed at its head, but we confess some surprise at the boldness of the above extracts. Most politicians, however much they may be influenced by party feeling while judging of the conduct of public men, endeavor to conceal their bias under moderate language; but the Reviewer here reviewed boldly denounces the whole Supreme Court of the nation, because, forsooth, his political friends are no longer in the ascendant; and seems to expect and look round for applause, while he bids his countrymen prepare for ruin and desolation. We could have anticipated such sentiments from superannuated politicians, neglected votaries of the muses, or worn out hack writers of the day; but not in a treatise professedly philosophical, and pretending to reveal the truth, not to excite popular feeling—appearing, too, in the pages of a work of the deservedly high claims to respect possessed by the New York Review. At the time the above article made its appearance, however, it is to be recollected that the whole country was under furious excitement, and we ought perhaps to make some allowance for the influence of such a state of feeling upon the ordinary writers of the day. The most distinguished do not always escape this baneful influence, and common charity obliges us to pass lightly over such blunders as we have noticed, in the hope that calmer moments and an increase of years will cause them to be considered by the author in the same light with which every dispassionate man must now regard them.

The article in question finds fault with three cases decided since the death of Judge Marshall, and reported in the eleventh volume of Mr. Peters' Supreme Court Reports. The first is the case of the Charlestown Bridge against the Warren Bridge; the second, that of the City

Digitized by Google

of New York against Miln; and the third, that of Biscoe against the Bank of Kentucky.

The Record of the first case shows the following facts: In the year 1650 the Legislature of Massachusetts granted to Harvard University the right to dispose of the ferry between Boston and Charlestown. In 1785, upon the petition of sundry citizens, authority was granted to build a bridge at the same place; from which the proprietors were to receive tolls for forty years, paying two hundred pounds *per annum* to Harvard University. At the end of the forty years the bridge was to become the property of the State, saving to the College or University "a reasonable annual compensation for the annual income of the ferry." Afterwards, upon granting authority to another company to build a bridge across Charles River in another direction, the charter was extended to seventy years. In 1828 the Warren Bridge Company was incorporated for the purpose of building another bridge between Boston and Charlestown, from which the proprietors were to receive tolls only until their expenses should be repaid; after which it was to belong to the Commonwealth. Before the decision of the case it had in fact become a free bridge; and being located at only a short distance from the old one, had taken away all the toll. The question in the case was, whether the State had the right to incorporate the second company; or in other words, whether in the first grant the corporators had received a monopoly which precluded the Legislature, by contract, from authorizing the erection of any other bridge between Boston and Charlestown. The old bridge company did not contend for any express grant or contract; and the main question for the decision of the Supreme Court was, whether such a grant could be made out against the public *by implication*. It is to be remarked that the question did not come before the Court, how far the old bridge company was entitled to compensation. It was for them to decide only, whether a contract had been impaired, under the Constitution of the United States. The question of compensation was on all hands admitted to rest with the State courts, in construing the State Constitution, and with the Legislature.

The Supreme Court decided that the act incorporating the Warren Bridge Company was constitutional. The opinion was delivered by Chief Justice Taney, and we only regret that our limits forbid its insertion at length. It is a most able document, bearing on its face those features for which all the intellectual productions of that distinguished statesman and jurist are remarkable. He clears the very intricate subject before the Court of all irrelevant matter, with the unerring instinct of genius; and as he pursues his unbroken chain of clear, logical reasoning, spreads light all around, leaving no cloud to confound or mislead those who may come after him. Indeed the present Chief Justice escapes from irrelevant matter with as much ease as Judge Marshall or the most distinguished of the English Judges.

Digitized by Google

Like them he seizes the true question in the case, and never loses sight of it for a single instant. He strips off, gently but firmly, all the disguises with which forensic eloquence so often veils the truth, and without fear or hesitation follows wherever she may lead. When in connexion with talents peculiarly fitting him for the high post he now occupies, we consider that a long life of blameless purity has left his character without reproach in the midst of all the temptations of a successful career, we are forced to love while we admire; and feel, while listening to him, that we are receiving lessons of wisdom from one, the directness and simplicity of whose mind disdain the foppery and tinsel of the rhetorician, and who uses words not as baubles to gain the admiration of a moment, but as the vehicle of useful and instructive thought. We have, too, in him a Judge of unwavering firmness, fitting him for the most difficult duties which in his position he can ever be called upon to perform; for neither clamor, nor false delicacy, nor fear of responsibility, will ever deter him from the course which his reason may approve. He took his place at the head of the Supreme Court in the midst of great bitterness of party feeling, which we are happy to observe has nearly died away, except in a small circle of which the New York Review may be considered the representative; and all attempts to underrate his mental powers have most signally failed. In the case we are now considering, Judge Story evidently hoped to establish himself at the head of the Court, if not with the Judges, at least with the country; and, with the advantage of answering the opinion of the Court, put forth all his powers. The Chief Justice, it is well known, has nevertheless been triumphantly sustained by the country, and the Associate by no means now ranks relatively as high on the bench, even in the estimation of those most disposed to view his character and talents in a favorable light, as he did in the days of Judge Marshall.

We should perhaps apologize for the digression we have made from the subject properly before us, were it not that the personalities of the Review, aimed principally against Judge Taney, warrant this tribute to his virtues and his greatness. The character of such a man needs no defence, but as it belongs to his countrymen, they may be pardoned some out-pouring of indignant affection when it is aspersed.

We have already stated that the point upon which the Bridge case was mainly argued was, whether in a public grant a monopoly could be established by implication. The Court in their opinion treated this part of the subject at great length; and the Reviewer, after taunting the Judges with receiving instruction from him in the ethics of the law, says "that Chief Justice Taney in his opinion relied upon a recent case in the *English King's Bench*, it which it was held, that under a grant by act of Parliament, giving tolls for articles passing through the locks on a canal, the grantees could not claim tolls from persons using one of the levels of the canal, and not passing through

Digitized by Google

any of the locks," to show that public grants must be strictly construed. Now, most readers would suppose from the above sentence, that the Chief Justice relied upon this single case to overrule the former decisions of the Supreme Court; and that even in England it was the solitary decision of an inferior judge, unacknowledged and unsupported. What must be his surprise to learn, after this sneering allusion to an *English King's* Bench, that the decisions of our own Supreme Court itself were those mainly relied upon, and that they fully sustain the public policy and sound law of the doctrine, namely, of strict construction of public grants, so that nothing may be held to pass except what was plainly intended and expressed; while foreign cases were cited to show that the same law has always been maintained in England. The case of the United States against Arredondo, reported in Mr. Peters' eighth volume, was referred to for the collection of cases on that subject. In the case of Jackson against Lamphire* where the attempt was made to set up a covenant against a State by implication, the Supreme Court held this language: "The patent contains no covenant to do or not to do any farther act in relation to the land, and we do not feel ourselves at liberty in this case to create one by implication." So in the case of Beatty against Knowles' lessee,† the same Court says: "That a corporation is strictly limited to the exercise of those powers which are specifically conferred on it will not be denied." "The exercise of the corporate franchise *being restrictive of individual rights*, cannot be extended beyond the letter and spirit of the act of incorporation." And yet Mr. Story, for whom the Reviewer expresses the highest admiration, says, in his dissenting opinion, that he could not see, "how any grant of a franchise is a derogation from the rights of the people of the State, any more than the grant of public land."

The next case relied upon by the Court was that of the Providence Bank against Billings and Pittman.‡ In that case the Bank maintained, that as no reservation of a right to tax its stock was made in its charter by the State, an attempt to impose a tax was an infringement of the contract, because the State might thus render it of no value, and indirectly do what the Constitution of the Union prevented being done directly. But the Court said, that the relinquishment of the taxing power was never to be assumed unless there was a deliberate purpose manifested; for, "as the whole community is interested in maintaining it undiminished, that community has a right to insist, that its abandonment ought not to be presumed, in a case in which the deliberate purpose of the State to abandon it does not appear." Such was the language of Judge Marshall When it is recollected that an argument much relied upon in the Bridge case was, that, by erecting another bridge and making it free, the indirect effect was

* 3 Peters' S. C. Reports. † 4 Peters. ‡ 4 Peters.

Digitized by Google

to destroy the first franchise, the case just cited will be found completely apposite. Indeed we conceive, that if any doubt could remain in the mind of any sound lawyer or statesman, it would be entirely dispelled by the following luminous exposition of the rule, and the reason upon which it is founded, taken from the opinion of Judge Taney:

"The continued existence of a government would be of no great value, if by implications and presumptions, it was disarmed of the powers necessary to accomplish the ends of its creation, and the functions it was designed to perform transferred to the hands of privileged corporations. The rule of construction announced by the Court—(in the Bank of Providence case)—was not confined to the taxing power; nor is it so limited in the opinion delivered. On the contrary, it was distinctly placed on the ground, that the interests of the community were concerned in preserving undiminished the power then in question; and whenever any power of the State is said to be surrendered or diminished, whether it be the taxing power or any other affecting the public interest, the same principle applies, and the rule of construction must be the same. No one will question that the interest of the great body of the people of the State would, in this instance, be affected by the surrender of this great line of travel to a single corporation, with the right to exact toll and exclude competition for seventy years. While the rights of private property are sacredly guarded, we must not forget, that the community also have rights, and that the happiness and well being of every citizen depends on their faithful preservation."

The pretensions of the Charles River Bridge Company, as advanced before the Massachusetts Legislature at the time its charter was prolonged, would, if acceded to, have cut off Boston from all approach to the main land, except by Roxbury Neck at one end, and a narrow, crowded, and dangerous bridge at the other. It is unnecessary to say that the claim met no favor at that day. If they had succeeded in their recent attempt, they would have established one of the most oppressive rights, as far as the community of Boston was concerned, ever attempted to be enforced in the worst days of public monopolies in the middle ages. Who would wish any implications made in favor of such a claim? And yet the decision of the Court is pronounced by the Reviewer "a desolating doctrine"—"meriting the severest animadversion which indignant patriotism can bestow!"

It is no valid objection to the decision of the Supreme Court, and the opinion of Judge Taney, that the Legislature of a State is thus permitted to do indirectly what it could not do directly. Judge Marshall held it to be no objection to his judgment in the case of the Bank of Providence. The clause of the Constitution of the United States, which prevents States from passing laws impairing the obligation of contracts, had in view one species of injustice on the part of the State Legislatures, from which the country had suffered great in-

Digitized by Google

convenience at the time of its adoption. It could not go so far as to prevent every species of injustice, which State Legislatures might inflict; for the minuteness and complexity of such provisions would inevitably, in the jarring interests and opinions of the Convention, have destroyed it,—and for ever. If injustice is done, which the Federal Constitution does not authorize the Federal Courts to reach, the people of the States must look to it, for with them rests the remedy. We do not mean to intimate, that any injustice was actually committed in this instance by the Legislature of Massachusetts; for it appears from the history of the old company, and of the legislation respecting Charles River, that they had full warning, when their charter was prolonged, of the views of the public respecting their rights; since which time an immense sum of money has been received in tolls —a sum far more than sufficient to reimburse the total loss of the stock.

Lord Stowell, in the case of the Elsebe reported in the fifth volume of Robinson's Admirality Reports—(and by the way he is quoted by Judge Story, in his dissenting opinion)—lays down the true principle of interpretation of public grants in the following concise language, so as to make it receive the assent of all men as the rightful rule from which there can be no safe departure. He says:

"Against an individual it is presumed he meant to convey a benefit with the utmost liberality that the words will bear. It is indifferent to the public in which person an interest remains, whether in the granter or the taker. With regard to the grant of the Sovereign it is far otherwise. It is not held by the Sovereign himself as *private property;* and no alienation shall be presumed, except what is clearly and indubitably expressed."

Can anything be clearer or more convincing? And yet to combat what seems so plain, the dissenting Judge has waded through all the black letter of the English law; and has only succeeded in proving what nobody ever doubted, that a public grant shall not be construed to mean a nullity. We were much surprised at the sneering tone of a part of the dissenting opinion, because it is so unusual among judges sitting on the same bench, and familiarly addressing each other by the appellation of "Brother." The reference made in the opinion of the Court to the construction of royal grants is thus treated. Judge Story says: "An attempt, however, has been made to put the case of legislative grants upon the same footing as royal grants as to their construction; upon some supposed analogy between royal grants and legislative grants under our republican forms of government. Such a claim in favor of republican prerogative is new, &c." And again:— "The policy of the Common Law which gave the crown so many exclusive privileges and extraordinary claims, differing from those of the subject, was founded in a good measure, if not altogether, upon the divine right of kings." And then the sentiment of Judge Parsons is quoted—"that in England prerogative is the cause of one against the

Digitized by Google

whole. Here it is the cause of all against one." We deny that the Common Law ever tolerated the idea of a *divine right* in kings; and we affirm that there was no difference between those who maintained and those who denied this right, as to the duties and obligations of the Sovereign. He was on all hands admitted to be a trustee, whether supposed to reign by a divine right, or, in the language of Blackstone, "by the general consent of the people." His powers and prerogatives, therefore, no matter how extensive, were supposed to be given to him for the public good, not for his individual gratification or private purposes. It is just so with the parliament of England, and with the legislatures in our country; and when they make a grant, they pass what does not belong to them, but is the property of their constituents. The supposed analogy, then, is perfect; and accordingly the courts in the monarchy of England and in the republic of America have, for the purpose of guarding the rights of the people from the uncertainty that would surround them if liable to be swept away by implications and constructions, established as a fundamental rule, that nothing shall be held to pass from the public, but what is plainly intended and expressed. . And yet, while combating these truths, the simplicity of which appears almost self-evident, Judge Story ventures confidently to say, "I stand upon the old law—upon law established three centuries ago."

It was argued in the Warren Bridge case, that all the ferry rights possessed by the College had been transferred to the Charles River Bridge Company; and upon this score it was attempted to secure an exclusive right of toll. But the facts of the case cut up this argument by the roots. There never was a transfer. The bridge was authorized to be built in the place where the old ferry had been, and the franchise of course could have no existence after it ceased to be used, and its place was supplied by another. It was then attempted to show that bridges were entitled to the same monopoly that had been claimed for ancient ferries; but no authority of an older date could be found, than Chancellor Kent, in the case of the Newburg Turnpike Company against Miln. In that case the defendant had evidently interfered with the franchise of the Company, by enabling passengers to commit a fraud of which he reaped the profit. The decision, we are willing to admit, was right; but the dicta that accompanied it, not only went beyond the limit to ferry rights fixed by Lord Kenyon in the case of Trippe against Frank in the fourth volume of the Term Reports, but applied the broad principle of total exclusion of competition to bridges and turnpikes. Hear him: "No rival road, bridge, ferry, or other establishment of a similar kind, can be tolerated so near the other as materially to effect or take away its custom." If Chancellor Kent meant, that this could not be done without the assent of the legislature, we have nothing to say; but if he intended to establish the principle that the legislature could not authorize it, we

Digitized by Google

assert that the dictum has no foundation in reason, and is unsupported by any respectable authority. Indeed Judge Story, in his argument, felt the force of the case of Trippe against Frank so strongly, that he was obliged to confine the monopoly he wished to establish to two points, and thus endeavored to escape the practical absurdity involved in the positions of the Chancellor. We have a great respect for the talents of Chancellor Kent and Judge Story, though we do not regard *them* as the highest judicial authority in the land. They both write and talk from the bench too much; and seem so anxious to follow wherever dazzling argument may lead, that they often pass the shrine of truth unheedingly, and without a votive offering. It is certain that each has made blunders materially lessening his judicial authority. Vanity is a most subtle enemy, and peculiarly dangerous to men of acute mental vision; for to such it whispers, that they may maintain paradoxes by dazzling sophisms. Contemporaries may be carried away by ingenious reasoning; but posterity looks coldly and rigidly for truth, without caring for men; and passes a fatal decree against those whose high intellectual powers have been used merely for display. "I believe," says Polybius, "that nature herself has constituted truth as the supreme deity, which is to be adored by mankind, and that she has given it greater force than any of the rest; for being opposed as she is on all sides, and appearances of truth so often passing for the thing itself in behalf of plausible falsehoods, yet by her wonderful operation, she insinuates herself into the minds of men; sometimes exerting her strength immediately, and sometimes lying hid in darkness for a length of time; but at last she struggles through it and appears triumphant over falsehood."

The next case that excites the ire of the New York Review is that of the city of New York against Miln, reported in the same volume. In 1824 the increase of pauper immigration became a subject of anxious attention in New York, and a law was passed requiring captains of vessels to give in a list of their passengers, and in certain cases to give security that they would not within a given time become a burthen upon the city. It was contended that this was a mere police regulation fully within the competence of State legislation; and it was so decided by the court. Against the law the cases of Gibbons and Ogden, and Brown and the State of Maryland, were cited and mainly relied upon. In the first, the Supreme Court had decided that the grant by the State of New York of an exclusive right to navigate her waters with steamboats was a violation of the Constitution of the United States, because it interfered with the right of Congress to regulate commerce; and as all steamboats were licensed as other vessels, that authority could not be controlled by any other power. In the other case, the State of Maryland had taxed goods in bales in the hands of the importer; which was also adjudged to be unconstitutional, as an interference with the right of Congress to regulate

Digitized by Google

commerce, and because no state is allowed to lay an impost without their consent. We cannot see anything in this case, of the city of New York against Miln, to alarm the most ultra consolidationist, nor discover any feature in which the law sustained by it differs from the internal police and inspection regulations which had already received the approval of the courts. It certainly was not a commercial regulation; for passengers are in no point of view subjects of commerce, and the laws of the United States relating to passenger ships are designed merely for the comfort of the passengers themselves, and to restrain the possibly injurious cupidity of the masters and owners of such vessels. The law, too, only acts upon the captain and passengers in port, and when within the jurisdiction of the State. If this be contrary to the Constitution, it is hard to perceive how States could protect themselves from an increasing and most oppressive pauper immigration. Judge Barbour, who delivered the opinion of the court, says:

"There can be no mode in which the power to regulate internal police could be more appropriately exercised. New York from her particular situation is perhaps more than any other city in the Union exposed to the evil of thousands of foreign emigrants arriving there, and the consequent danger of the citizens being subjected to a heavy charge in the maintainance of those who are poor. It is the duty of the State to protect her citizens from this evil."

Mere technical lawyers may complain of this mode of looking at the consequences to the people likely to result from the establishment of any particular doctrine. But every school-boy soon learns to prove his arithmetical calculations by reversing the process, and experience is the only sure test of the correctness of opinions and the soundness of reasoning. What the lawyers call the argument *ab inconvenienti* has more force than is generally conceded to it on the bench. It will not do for a Judge of the Supreme Court to follow out a chain of technical conclusions wheresoever they may lead; for no matter how exactly his deductions may follow his premises, he must go back if they lead to a practical absurdity. A *mere lawyer* will never make a sound judge of that court. For as in our social compact, intended not for the day only, but for ages, it was the part of wisdom to avoid minute and compact details, so the judge, who may be called upon to define its meaning, as applicable to particular cases, must be a statesman capable of bringing to his aid a broad view of our whole civil polity, and of construing the language of the Constitution with due regard to the circumstances of the country at its adoption, and a steady resolution to preserve that beautiful balance of power which the patriots of Revolution established between the States and the General Government. The legal acumen, logical perspicuity, and sound sense, displayed by Judge Barbour in his opinion, have sustained it against all attacks; and have caused the case to be con-

Digitized by Google

sidered, in connexion with that of Gibbons and Ogden, as settling the law relating to police regulations of the States upon a broad and solid foundation. Such, we may safely venture to say, is now the settled judgment of the bar and the country.

The last case in the volume, and made the subject of severe strictures by the New York Review, is the case of Briscoe against the Bank of Kentucky. The Reviewer would have us conclude from the judgment in this case, that the Supreme Court has construed away that provision of the Constitution which forbids the States to issue any bills of credit. The State of Kentucky incoporated a bank, for the relief of the necessitous of its citizens—according to the modern understanding of the word "relief,"—agreeing to furnish the capital and appointing the officers, but in every other respect leaving the corporation to carry on its affairs like other banks. The faith of the State was in no way pledged, and by the terms of the charter provision was made for the application of the assets—thus teaching creditors to look no farther for their security than the available funds of the corporation. It was contended by the plaintiff in error, that the bank was unconstitutional, because an indirect mode, on the part of the State, of issuing bills of credit; and the case of Craig against the State of Missouri was relied upon to sustain the argument. In the Missouri case the certificates were issued by the officers of the State, its faith was pledged for their payment, and they were at the same time in a form to circulate as money. In Kentucky the faith of the State was in no way pledged for the payment of the notes, or any of the liabilities of the bank, and the corporation was put upon precisely the same footing as if the State had had no interest in it. How could the notes of such an institution be considered bills of credit issued by Kentucky? "Bills of credit" is a term, taken in its largest sense, more general than any other in use. It comprehends every written evidence of debt, and in this sense the provision of the Constitution might be construed to prevent a State from granting to its creditor any written promise to pay its debt, no matter how incurred. All the bonds issued by the States for the purposes of internal improvement would be void, and no exigency, however imperative, would authorize the anticipation of their revenue. Such a construction would not be contended for; and the necessity of limiting the signification of the term, to something narrower than its general use, is obvious. What better standard can we find than the use of the term at the period of the framing of the Constitution, to illustrate the sense in which the term was intended in that instrument? The obligations meant at that day were, no doubt, those incurred by the States at and immediately after the Revolution, for which they could not be sued, and whose rapid depreciation had brought distress upon the whole country. Let us see whether notes of the Bank of Kentucky had any feature in common with bills of credit in this sense.

Digitized by Google

The argument that the notes of the Bank of Kentucky were indirectly issued by the State, is met at once by a current of decisions of the Supreme Court. Judge Marshall said, "that when a Government becomes a partner in a trading company it divests itself, so far as concerns the transactions of that company, of its sovereign character, and takes that of a private citizen." See the case of the U. S. against Planter's Bank, in the ninth volume of Wheaton's Reports. If so, she is not bound as a State, and in no sense can the notes of a bank in which she is a part stockholder be said to be her notes. And how is the case altered when she owns the whole of the stock? The privileges of the sovereignty, we have seen, cannot be transferred. The corporation is on the same footing with any other, and may be sued as if the State did not own a dollar of stock in it. Of course the State is nowise bound for the notes; and not binding, they are not *bills of credit*. It may indeed be contended, that the charters of all banks chartered with the privilege of issuing paper money are void, as devices to evade the Constitution—and so they all are, if the Court were wrong in their judgment. We presume that those, at least, who are now attacking the Supreme Court, are not prepared for that conclusion, though it is evidently the only legitimate one to which they can come from their own premises. Would, indeed, that such a construction were sound, and as such could prevail in practice! Would, rather, that the framers of the Constitution had foreseen the present state of the currency and banking system of the country, that the preventive remedy might have been applied which it is very certain that the sagacious patriots of that age would not have omitted! Or would that such an amendment of the Constitution could be adopted at the present day, as should work the effect of a thorough cure of this fatal national disease!

We consider, however, that the whole question, involved in the case here considered, was fully settled some years ago by the same Court in the case of the Bank of Kentucky against Wister, reported in Mr. Peters' third volume. There it was actually contended, that the Bank could not be sued because the State was the only stockholder; but the Court said, in allusion to the cases already referred to, that it was no longer an open question, and that the State was not a party. Judge Story, in his dissenting opinion—for here too he was the only dissenter—seemed to feel the pressure of this case, and attempted to show that the constitutional point was not raised. But we ask, how could it be overlooked by the Court. If the issues of the Bank were *bills of credit* issued by the State, she must have been a party, in the estimation of the Court, and the decision must have gone the other way.

We delight, while examining judgments so harshly reviewed, from such a quarter, to cite in their support the former decisions of the Supreme Court when Judge Marshall was at its head; for it thence be-

Digitized by Google

comes transparent, that the real complaint is, not that the present Judges have receded from the ground formerly occupied, but that they will not go any further. Thus far they have stood by the old decisions (some of which we, for our part, would have been very little disposed to complain if they had reversed), and steadily refused to receive *dicta* as judgments, or to make old cases the stepping-stones to new aggressions upon State rights. We should not have been surprised, indeed, if, when a change took place in so many seats, some even more decided change in opinion had also been exhibited; for such has frequently been the case in England after the death of a distinguished head of the court, who had sat in it for many years. Courts fall into a current of decisions, where the same members act together for a number of years, and particular cases are sometimes made to conform to general principles not properly applicable, for the want of due consideration. This inconvenience has been felt in England, and we see no reason why, under the same circumstances, we should be exempt from the evil. It is folly to assert a claim to infallibility for the opinions of any man or set of men. The greatest have admitted their errors and changed their minds, and posterity has had to reverse the decisions, and suffer for the mistakes, of renowned judges and statesmen, whose judgment it would have been deemed a daring rashness to question in their own day.

We revere the name of the late lamented Chief Justice, although politically opposed to him, and differing from him in some his constitutional notions; and far be it from us to wish to pluck from his brow a single leaf of the laurel which he won so nobly, and wore so gracefully. But we are sickened by the attempt to connect his name with a particular party of the present day, and make it the representative of all the ultra notions of those who, for a splendid government, would reason away the Constitution and all its checks and balances; who would, with one breath, make corporations override all individual and public interests, hold in check the power of the States, and defy that of the General Government—and at another moment would prostrate them all to gratify some new whim, or in advocating some new extreme of policy. What injury is not done to a great name by such a course! All men, however great, leave behind them evidence enough of their weakness, without having sentiments attributed to them which they either did not choose, or were not called upon, to record. We are led into these remarks by observing that Judge Story and the Reviewer here referred to lose no opportunity of calling in the aid of this authority to sustain their peculiar constitutional tenets, although in neither of the cases in which he is said to have agreed with them, have we any recorded opinion from him.

There are few of our readers who cannot make a proper estimate of the public injury that would have followed a different judgment in either of the cases we have mentioned. If it had been settled in the

Digitized by Google

Bridge case, that the claim to the exclusive use of Charles River was sanctioned by the proper construction of the original grant, what power would have been left to the States to act for the public convenience by providing new and increased facilities for commercial and social intercourse? If the Kentucky Bank case had been decided differently, what ruin would not have fallen upon the States, their creditors, the Banks, and society at large, by such a sudden and sweeping revolution in the settled opinions and practice of the country, as must have resulted from it. A scene of confusion and alarm would have ensued which the imagination can hardly picture. And if it had been settled, that the States have no right to protect themselves from being overwhelmed by any influx of pauperism with which foreign poor-houses might have seen fit to deluge their cities, what would have been the condition of our police along the whole sea board, and who can measure the burthen upon the community that might have resulted from the annual importation of European lazzaroni?

The Reviewer asks, if it is "not possible to bring intelligent and enlightened public opinion to bear upon the Supreme Court, and to endeavor to inspire it with a larger infusion of the spirit of moderation and forbearance." Yes, enlightened public opinion has already acted, and is now acting; and that man must be blind indeed to the signs of the times, who does not see that the Court has been fully sustained in those very respects about which so much complaint has been made in a certain quarter. The forbearance and moderation of the Court, as lately manifested, not merely in most of their own judgments, but in the dignified manner in which they have treated those of their predecessors, have received the sanction of all well wishers of their country. A few partisans, and those who cannot be made to believe that men of the present day are as good as those of the last generation, will find fault; but to such no sensible man need address himself. Those whose most ardent desire is to see a proper equilibrium kept up according to the theory of the Federal Constitution between the States and the General Government, are satisfied. In every popular government, and more particularly in ours, there is a very large class of intelligent, well-informed men, who cannot properly be said to belong to any party, but who read all that is written, and watch all that is done, and always sustain the government and all its public officers so long as they believe that the true principles of the Constitution are carried out by them. Hence this class, the steady, plain, and solid character of whose minds seems to fit them more for judging of the actions of others, than to take a part in affairs themselves, watch with intense interest the scale of power as it may vibrate between the States and the General Government, and have ever looked to the decisions of the Supreme Court, as indicating the progress of good or bad principles of government. This class has sustained, and will continue to sustain, the Court in their present course,

Digitized by Google

against all attempts by the interested or prejudiced to break down its authority, or tarnish the lustre of its public estimation.

We hold the Supreme Court in high esteem, and regard its powers as likely to produce much mischief when in the hands of rash ultraists of any school; but when the Reviewer tells us, that it is the sentinel over the constitutional powers and liberties of the United States, we feel that we are carried into the regions of romance and exaggeration. The people are the sentinels. They must watch warily and incessantly, and wo betide them, and all civil liberty, whenever they entrust the guardianship of their dearest rights to any court, however distinguished, or to any men, however pure. It has been the disposition of all parties by turns, to attribute too much, for weal or wo, to the Supreme Court. The Reviewer thinks, "that if the Constitution be destined prematurely to perish, and the last refuge of justice, and the last hopes of temperate and civilized freedom, to be destroyed, the expiring struggle will be witnessed in the decisions of that Court." Mr. Jefferson, on the other hand, said in one of his letters: "I fear, dear sir, we are in such another crisis,"—alluding to the Alien and Sedition laws,—"with this difference only, that the judiciary is alone and single-handed in the present assaults on the Constitution. But its assaults are more sure and deadly, as from an agent seemingly passive and unassuming." The hopes of the Reviewer and the fears of Mr. Jefferson we take to be equally unfounded. Courts are composed of men, liable to the same impulses as the rest of their countrymen. And whenever it shall please Providence to let us alone because we be joined to our idols, and vice and corruption shall be the characteristics of the nation, judges will not have escaped the contagion; or if they should, they would present but a feeble barrier to the progress of vice and the passions of a degraded people.

Their functions may, we think, in the language of Professor Tucker, "be compared to those of some bridge which crosses and stems the mountain stream, seemly to the eye, and entirely convenient, so long as the current beneath keeps the even tenor of its way; but when the rains fall, and the waters are swollen to a torrent, this frail structure, so far from proving a barrier to its fury, is one of the first goodly fabrics that is swept away."

Let the people keep the watch then; let them encourage education and good moral and religious principles, and carefully select for all public duties men whose characters afford a guarantee of fidelity. Let them watch the bad, that they do no mischief, and the good, lest even they forget the fountain of all power and the masters they serve. Let the people but do this, and be faithful to themselves, and all will be well.

Digitized by Google

ENGLAND AND CHINA.

As the difficulties which have sprung up between England and China, are both interesting and important, we shall devote a portion of the present number of this Review to a consideration of the subject. Our design is not to engage in a discussion of the merits of the controversy, but to furnish, as well as our limited means of information will permit, a succinct history of the dispute, from its origin in the illegal introduction of opium into the ports of Canton, by British merchants, down to the recent transmission of despatches by Lord Palmerston, in preparation for active war.

The subject is full of interest to the American reader. Whatever may be the course of events in respect to the actual termination of the contest, it is quite certain that the belligerent attitude of the two nations must cause an important interruption of the American trade, and lead either to its total suppression hereafter, or to its very great enlargement in consequence of the withdrawal of British competition. Whether the Chinese or the English are successful in the prosecution of their plans, the effect in either case will be equally momentous upon American interests. Our merchants, therefore, will watch the issue with that care and sagacity which enables them to cope with the more wealthy traders of the world. In another aspect the dispute is calculated to attract the deepest attention. For many centuries, the greater part of the Chinese territory has been closed from the view of mankind. Of its interior arrangements, of its actual extent, of the number of its population, of the condition of its trade, of the nature of its institutions, of its mechanical improvements, of its social and domestic economy, of its police, its moral codes, its religion, very little is known beyond what has been casually gleaned by incompetent persons, permitted for short seasons to approach its coasts. A profound darkness has rested for ages over all that portion of its history, which it would be curious and desirable to investigate. Wrapped in their own notions of peculiar superiority, bigoted, intolerant, incommunicative, and selfish, the Chinese have kept apart from the people of the world, have resisted the power of civilization spreading itself so effectually through all other nations, and proved impenetrable even to Christianity, that has pierced all the abodes of man, and shed its light in every nook and corner of human habitation. It is probable, therefore, that if, in the course of Providence, this solemn seclusion is destined to be broken, it must be by the force of foreign arms. The time has probably come to rend asunder by violence the veil which neither the influence of commerce nor religion could prevail in drawing aside; in which event a country supposed to number about three

Digitized by Google

hundred millions of souls will be thrown open to the world, and incorporated for the first time into the community of nations.

The existing disturbances have had their rise in the traffic in opium carried on by the foreign merchants, chiefly British, residing at Canton and Macao. It is not a century since this trade began, in the proposal of Colonel Watson, an officer of the British East India Company, that the taste for the drug rapidly spreading in China, should be turned into a source of commercial revenue. Previously to the year 1767, the whole annual import of opium into China, allowed entry as a medicine subject to the small duty of five mace per catty, did not exceed two hundred chests. During that year, the number of chests increased to one thousand, at which number the importation remained stationary, for several succeeding years. As the East India Company were in the exclusive possession of the whole trade with the eastern nations, they did not at that time find it worth their while to divert their capital from the other more lucrative employments which the monopoly had provided. But about the beginning of the present century, serious inroads were made upon the business of the Company through the competition of individual traders invited thither by the large profits of eastern commerce. To supply the deficiency which this falling off of their trade occasioned, they resorted to the traffic which they had so long neglected, but of the prospective importance of which they were now beginning to be apprised. A more extended cultivation of the poppy within the British dominions in India was immediately undertaken, large tracts of land were devoted to its production, and means and facilities for shipping it to the Chinese markets were industriously established. Some idea of the rapid increase of its production may be obtained from the following tables, which are compiled from "Martin's Statistics of the Colonies of the British Empire," quoted in the Chinese Repository. It is a statement of the sales of opium made at Calcutta by the East India Company, from 1800 to the year 1837.

		Chests.		Sicca Rupees.
In 1800	they sold	4,054	valued at	3,142,591
1810	"	4,561	"	8,070,955
1820	"	4,006	"	8,255,603
1830	"	8,778	"	11,255,767
1835	"	12,977	"	13,215,464
1837	"	16,916	"	25,395,300

Taking the Sicca Rupee at forty-five cents of our currency, which is its lowest value, the opium sold in 1837 would amount to nearly twelve millions of dollars.

This growing consumption of the drug began to manifest itself in a series of destructive and terrible effects. It soon came into use among the people as an article of daily necessity. Thousands were becoming victims to the fatal intoxication which it produces, and a host of frightful diseases, before unknown, were spreading desolation

Google

and death throughout the empire. So rapid had been its conquests that the Emperor, as early as 1797, issued a solemn edict against the further importation of it, threatening those who should be discovered smoking it with the pillory and bamboo, and the sellers and smugglers of it with the penalties of perpetual imprisonment and death. This edict was transmitted to all parts of his dominions, and the inferior officers strictly enjoined to put it in instant execution upon whoever should be found to offend. But the authorities, under the influence of bribes thrust into their hands by the merchants, were lax in the discharge of their duties, and the importation continued in as great and even greater quantities than before. This was followed by other imperial edicts, couched in language still more severe, but which proved quite as ineffectual in curbing the traffic, as the first order. Not a few of the Chinese, taken in the act either of smuggling or of vending the interdicted commodity, were publicly executed with all the horrible accompaniments of punishment in which the criminal laws of China are fruitful, but without in the least restricting the illicit trade. Edict followed edict, in rapid succession, each breathing fiercer threatenings than the last, but so far from diminishing they only stimulated the ingenuity and industry with which the contraband drug was forced into more extensive circulation. That these various edicts were sufficiently earnest and direct, that issued in 1833 may answer as a specimen. It proceeds to say:

"Let the buyers and smokers of opium be punished with one hundred blows, and condemned to wear the wooden collar for two months. Then let them declare the seller's name, that he may be seized and punished with death, and in default of his discovering the vender, let the smoker be again punished with one hundred blows, and three years banishment, as being an accomplice. Let mandarins and their dependents, who buy and smoke opium, be punished one degree more severely than others; and let governors of provinces be required to give security that there are no opium smokers under their jurisdiction, and let a joint memorial be sent in representing the conduct of those officers who have connived at the practice."

This was the condition of affairs, when the East India Company's monopoly having terminated, the place of their supercargoes, who had hitherto conducted the business, was supplied by the appointment of superintendents of the British trade. A commission was issued to Lord Napier, with Messrs. Plowden and Davis, in December of 1833, authorizing them to carry on the usual negotiations with the Chinese authorities, accompanied by the following instructions:

"And we do further command and require you, in the general discharge of your duties as such superintendents, to abstain from and avoid all such conduct, language, and demeanor as might needlessly excite jealousy or distrust among the inhabitants of China or the officers of the Chinese government, or as might necessarily irritate the feelings or revolt the opinions or prejudices of the Chinese people or government; and that you do study, by all practical methods, to maintain a good and friendly understanding, both with the officers, civil and military, and with the inhabitants of China, with whom you may be brought into intercourse or communication."

With the spirit of these instructions, Lord Napier manifested no inclination to comply, and it was not long before he received further

instructions from Lord Palmerston, which soon brought him in conflict with the Chinese authorities. These "further instructions," supplementary to those of the royal commission, directed the superintendent to "announce his arrival in Canton by a letter to the Viceroy," which was an open violation of the rules established in respect to the trade to Canton. No foreigner is allowed to proceed up the river until he has received an authentic passport, or *chop*, from the constituted authorities, and no official paper can be sent to the Viceroy except through the hands of the Hong merchants, who are a body of licensed traders, with whom the greater part of the external commerce of the nation is conducted.

On the 15th of July, 1834, Lord Napier arrived in Macao Roads, from whence he set sail for Canton on the 23d. A letter announcing his arrival was carried to the city gates by Mr. Astell, who was ordered "to deliver it to a mandarin, and avoid any communication through the Hong merchants." This irregular mode of proceeding was of course resisted by the Chinese authorities. On the 27th of July, an edict from the Governor of Canton to the Hong merchants, commanded them to require Lord Napier to go back to Macao, and conform to the established forms of the Canton trade by transmitting his communication through the usual channel. Lord Napier obstinately refused to do this, and the Governor of Canton threatened, should he persist in his refusal, to stop the British trade altogether. On the 26th of August Lord Napier, in retaliation, posted a placard at the corner of the streets, charging the mandarins with falsehood, and denouncing "the ignorance and obstinacy" of the Viceroy. The Governor was greatly incensed by so daring a piece of insolence, and on the 2d of September, sent forth an edict, confirming the stoppage of the trade from the 16th of August. All negotiations, relating to the opening of the trade, unaccompanied by the condition that Lord Napier should leave Canton, having failed, his lordship and suite embarked for Macao, on the 24th of September. This was the first serious dispute that had arisen between the two parties, and we refer to it now, although not intimately connected with the present difficulties, because it is supposed to have had great influence in exasperating the Chinese authorities against the British nation generally.

Under the superintendents succeeding Lord Napier, through the adoption of a conciliating course, the trade was shortly after restored. On the 14th of September, 1836, Captain Elliott, the present superintendent, was commissioned to discharge the duties of the office. About the time of his apointment, a controversy which had arisen, as to the propriety of allowing the importation of opium, was strongly interesting several of the higher Chinese authorities. The Emperor himself, urged by a view of the terrible consequences inseparable from its use, had determined to put an end to the traffic. It was recommended, however, by the Governor and Lieutenant Governor of

Digitized by Google

Canton that on account of the immense revenues brought into the treasury, the trade should be legalized. In a report made upon the subject, they set forth that the traffic had increased in spite of all prohibitions, that it had drained the empire of the Sycee silver, and that it would be advisable to impose a duty on the drug, with the conditions that it should be exchanged in barter, and not paid for in money. It says:

"If this plan be faithfully and vigorously carried into effect, the tens of millions of precious money which now annually go out of the empire will be saved, the source of the stream will be purified, and the stream itself may be eventually stayed. The amount of duties being less onerous than what is paid in bribes, transgressions of the revenue laws will cease of themselves; the present evil practices of transporting contraband goods by deceit and violence will be suppressed without effort; the numberless quarrels and litigations now arising therefrom at Canton, together with the crimes of worthless vagrants, will be diminished. Moreover, if the Governmental officers, the literati, and the military, be still restrained by regulations, and not suffered to inhale the drug; and if offenders among these classes be immediately dismissed from the public service, while those of the people who purchase the drug and smoke it, are not at all interfered with, all will plainly see that those who indulge their depraved appetites are the victims of their own self-sacrificing folly, persons incapable of ranking among the capped and belted men of distinction and learning; and if in this way shame be once reused, strenuous exertion and self-improvement will be the result—for the principles of reform are founded on shame and remorse. Nor, as it is truly said in the original memorial, will the dignity of government be at all lowered by the proposed measure. Should your Majesty sanction the repeal, it will in truth be attended with advantage both to the arrangements of the Government and the well-being of the people."

It recommended also the cultivation of the poppy in China.

The memorial of Heu-Naetse, an experienced functionary, to the Emperor is to the same effect, and the chief consideration in it is the effect of opium smuggling on the currency:

"Always in times past, a tael of pure silver exchanged for nearly about 1,000 coined each, but of late years the same sum has borne the value of 1,200 or 1,300 cash; thus the price of silver rises but does not fall. In the salt agency, the price of salt is paid in cash, while the duties are paid in silver; now the salt merchants have all become involved, and the existing state of the salt trade in every province is abject in the extreme. How is this occasioned but by the unnoticed oozing out of silver? If the easily exhaustible stores of the central spring go to fill up the wide fathomless gulf of the outer seas, gradually pouring themselves out from day to day, and from month to month, we shall shortly be reduced to a state of which I cannot bear to speak."

Councillor Choo-Tsun took opposite views, and after commenting upon the effects of the trade in exhausting the nation of its silver, dwelt at large upon the misery and degradation which was spreading through China by means of the increasing consumption of the drug. Hew-Ren, subcensor over the military department, sustained the views of Choo-Tsun, in a long and well-reasoned memorial, which set forth with peculiar vividness and power the necessity of an imperative prohibition. All the while, the traffic, countenanced by the local authorities, whose connivance was purchased by the payment of

Digitized by Google

seventy-five dollars for any chest smuggled into the empire, was daily becoming more extensive, so that it is estimated that in the summer of 1838, it had grown so great, that there were at Canton no less than fifty thousand chests of opium, worth about twenty-five millions of dollars, ready for the market. Some attempts to suppress it, by the execution of one or two of the offenders, were made at several times during the year, but none of them seemed to be effectual. The arrival of High Commissioner Lin at the port of Canton, with plenipotentiary powers from the Emperor to root out the trade at all hazards, was the first step in an efficient reform. On the 10th of March, 1839, Lin commenced his operations, by a thorough investigation into the actual state of the traffic. At the end of eight days, two imperial edicts were issued, the one addressed to the Hong merchants, and the other to the foreigners of all nations. In the former, after reminding the Hong merchants, that by the law of 1836, they were held responsible "for the ascertainment of the question, whether or not any foreign vessel imports opium," he severely censured them for having, in numberless instances, given bonds to vessels known to be engaged in the nefarious traffic. In conclusion, he commanded a surrender of all the opium in the hands of the merchants, and that the Hong merchants should procure bonds for carrying the order into effect within three days. In the edict to the foreigners, a promise was given that the trade should be continued to all who should instantly comply with the requisitions, while on the other hand punishment was menaced against those who should in any way attempt to conceal their opium, or defeat the operation of the decree. Hard upon these, came another decree ordering that all foreigners should be detained in Canton, until the delivery of the opium should be completed. The factories of the foreign merchants were surrounded by troops, and all intercourse between Whampoa and Canton prohibited. By these vigorous proceedings the greatest consternation and excitement were produced among the resident merchants; on the evening of the 21st of March, an extraordinary meeting of the Chamber of Commerce assembled, in which it was determined that some portion of the opium which they held should be delivered up as a propitiation to the wrath of the High Commissioner. Accordingly about one thousand chests were offered to the Commissioner for that purpose. But with this quantity, he declared himself by no means satisfied, and orders were returned to the merchants, peremptorily commanding them to surrender all the opium in their possession.

Captain Elliott, who was at that time at Macao, hearing of these determined proceedings, addressed a circular to the British subjects, stating that the forcible detention of Her Majesty's subjects in Canton, and other urgent reasons had induced him to withdraw all confidence from the Chinese authorities, and he should, therefore, require all the British ships in the outer anchorages, to proceed forthwith to Hong

Digitized by Google

Kong, and place themselves in a posture for defence. On the 23d of the same month, another notice was issued, informing the British subjects, that passports would be demanded for all such as desired to proceed outside, and enjoining them to make preparations for sending all their property on board of the British vessels, to be conveyed to Macao. Captain Elliott then went to Canton, which place he reached on the evening of the 24th. No sooner had he arrived than measures were taken by the Chinese, to make sure of his detention. All the natives were compelled to retire from the factories, the avenues to the public square were closed and guarded, lines of boats filled with armed men were drawn up in front of the factories, and soldiers were stationed at every convenient position, to prevent the ingress or egress of all such as were not authorized by the authorities. On the 26th another proclamation for the delivery of the opium was published by the Imperial Commissioner. In this he assigns "four reasons" why the foreigners should comply with the expressed will of the Emperor, or the established regulations of the government. As these are curious in themselves, and show the spirit in which the Commissioner proceeded, we shall extract a portion of his argument. Under the first head, he says—"You ought to make haste to deliver it up, by virtue of that reason which heaven hath implanted in all of us. I find that during the last several tens of years, the money out of which you have duped our people, by means of your destructive drug, amounts to, I know not how many tens of thousands of myriads! Thus while you have been scheming for private advantage, with minds solely bent on profit, our people have been wasting their substance and losing their lives, and if the reason of heaven be just, *think you that there will be no retribution?* If ye will now repent, and deliver up your opium, by a well timed repentance, ye may avert judgment and calamities. If not, your wickedness being greater, its consequences will fall more fearfully upon you. Ye are distant from your homes many thousands of miles, your ships cross a vast and trackless ocean; they are exposed to the visitations of thunder, and lightning, and raging storms—to the danger of being swallowed up by monsters of the deep—and amid such perils, fear ye not the retributive vengeance of heaven? Our great Emperor, actuated by the exalted virtue of heaven itself, wishes to cut off this deluge of opium, which is the plainest proof that such is the intention of heaven. It is, therefore, a traffic on which heaven looks with disgust, and who is he that will oppose his will?" Under the second head he argued that the opium should be delivered in compliance with the laws of the land, "for," he adds, "our Emperor looks upon the opium trade with the most intense loathing, and burns to have it cut off for ever, so that not only he who sells it is adjudged to death, but he who does no more than smoke it must also undergo the same penalty of the law. Now, try and reflect one moment. If ye did not bring this opium to China, how

Digitized by Google

should the people of our inner land be able either to sell or to smoke it? The lives of our own people, which are forfeited to the laws, are taken from them by your unrighteous procedure. Then what reason is there that the lives of our people should be thus sacrificed, and that ye alone should escape the awful penalty? Now I, the High Commissioner, looking up the great Emperor, and feeling in my own person his sacred desire to love and cherish the men from afar, do mercifully spare your lives. I wish nothing more than that ye deliver up all the opium you have got, and forthwith write out a duly prepared bond, to the effect that you will never henceforth bring more opium to China, and should you bring it, agreeing that the cargo be confiscated, and the people who bring it but to death. This is pardoning what is past, and taking preventive measures against the future." "Upon former occasions," he continues in another place, "we have condemned foreigners to death, in case of having killed our people. Now think for a little. Depriving an individual of his life is a crime committed in a moment, and still the perpetrator of it must forfeit his own life in return. But he who sells opium, has laid a plot to swindle a man out of his money, as well as to deprive him of his life; and how can any one say that it is only a single individual, or a single family, that the opium seller thus dupes, and entangles in destruction! And for a crime of this magnitude, ought one to die, or not to die? And still will ye refuse to deliver up your opium? Which is the way to preserve your lives? O, ye foreigners, do ye deeply ponder upon this." As a third reason, he says—"You ought to make immediate delivery of this opium, by reason of your interest and your feelings as men. You come to this market of Canton to trade. You profit thereby full threefold. Every article of commerce that you bring with you, no matter whether it be coarse or fine, in whole pieces or in small, there is not one iota of it that is not sold off and consumed; and of the produce of our country, whether it be for feeding you, for clothing you, for any kind of use, or merely for sale, there is nothing that we do not permit you to take away with you, so that you not only reap the profit of the inner land, by the goods which you bring, but by means of what you carry away you gather gold from every country to which you transport it."

And fourthly, he concludes, "that the opium should be delivered up by reason of the necessity of the case," under which he takes occasion to make an earnest and strong appeal to the honor of the foreigners, and the obligations which they must feel to be incumbent on them in the peculiar relations which they had long sustained.

The effect of this reasonable argument was to soften the wrath of the British Superintendent, for on the 27th he issued another notice to the British subjects, in which he exhorted them to yield the opium remaining in their possession. He said: "Now I, the said Chief Superintendent, thus constrained by paramount motives affecting the

Digitized by Google

safety of the lives and liberty of all the foreigners here present in Canton, and by other very weighty causes, do hereby, in the name and on the behalf of her majesty's government, enjoin and require all her majesty's subjects now present in Canton, forthwith to make a surrender to me, for the service of her said majesty's government, to be delivered over to the government of China, of all the opium under their respective control, and to hold the British ships and vessels engaged in the trade of opium, subject to my immediate direction, and to forward me without delay a sealed list of all the British owned opium in their respective possession. And I, the said Chief Superintendent, do now, in the most full and unreserved manner, hold myself responsible for and on behalf of her Britannic majesty's government, to all and each of her majesty's subjects surrendering the British owned opium into my hands to be delivered over to the Chinese government." This injunction was promptly complied with, by the merchants agreeing to the surrender of about twenty thousand chests of opium, worth, at cost prices, nearly twelve millions of dollars. It was sometime, however, in consequence of delays incident to negotiations of this sort, before the agreement was fully carried into effect. Meanwhile the merchants detained at the factories were permitted to depart for Macao, with the exception of sixteen, who had been most deeply engaged in the traffic, and who were held as hostages until the surrender of opium should be completed, which was done on the 21st of May. On the 17th of June, it was publicly burned; and the Emperor was pleased to signify his approbation of the course which had been pursued by Commissioner Lin, in appointing him to the second dignity in the empire, the government of the Three Keang.

But before the trade could be resumed it became necessary to execute a bond that any ship trading with Canton, after a prescribed time, if found carrying opium, should be confiscated to the empire, and the offenders given up to suffer the severest penalties. Several English merchants having expressed a willingness to take the bond, Elliott instantly issued a notice, requiring that they should not do so, because it would confer too great a power on the Chinese authorities in the search of English vessels. He enjoined at the same time that British ships should not enter within the Bogue or Bocca Tigris, until the condition of affairs should render further navigation more secure. At the same time he undertook to negotiate for the re-opening of the trade, on a fairer footing, or on terms with which he should feel at liberty to comply. But while the correspondence was pending, a party of British sailors, having landed at Hong Kong, on the 7th of July, and in a drunken frolic maltreated several of the natives, leaving one person, Lin Weihee, so severely bruised that in the course of a few hours he died, the negotiations were peremptorily broken off. A demand followed immediately for the delivery of the persons who were implicated in the outrage. Criminal proceedings were insti-

Digitized by Google

tuted by Elliott on board of one of the British men-of-war, with a view to the discovery of the criminal, but without success, and information was sent to the Commissioner to that effect, that after the most diligent search the murderer of Lin Weihee could not be found. With this reply he was not satisfied, and again urged upon Elliott that the offender must be delivered up to be dealt with after the Chinese fashion. Elliott replied as before, and the Commissioner thereupon, on the 15th of August, issued a decree that no food should be supplied to the English at Macao or any other station, and that, all the native compradores and persons assisting them should forthwith leave their houses and ships. An edict of the same tenor was posted at Macao 25th of August. It proclaimed,

"1. That any foreign vessel, wherein, through error, opium shall be brought to this place, within the period of eighteen months, from the date of this edict, shall be permitted on the surrender of the same, to proceed to Whampoa, and dispose of her other cargo.

"2. That every foreigner (no especial mention made of the English) who shall endeavor to introduce opium into the empire, on discovery being made, shall, if he be the principal, be immediately decapitated; if only an abettor, shall be instantly sentenced to strangulation.

"3. That every vessel is allowed to proceed immediately up to Whampoa, in order to discharge her cargo.

"4. That such vessels as are not proceeding to Whampoa must return forthwith to their country, lest ulterior measures be adopted against them. (In this also no especial mention is made of the English.)

"5. That if the murderer of the Chinese, Lin Weihee, be immediately delivered up, well and good; but if not, all the foreigners shall be involved in the offence."

Of these events the British merchants, in their memorial to Lord Palmerston, dated at Hong Kong Bay, Sept. 7th, say:—"After a residence of three months in Macao, your memorialists have been compelled suddenly to abandon that settlement and seek refuge on board their ships, in consequence of menacing preparations of the Imperial Commissioner, and edicts ordering the departure of British subjects, on pain of severe punishment; at the same time holding us responsible with our lives for the surrender of an individual to suffer death, in satisfaction of the alleged murder of a native in an accidental affray with some British and American seamen a few weeks since, at the anchorage of Hong Kong.

"Her Majesty's Superintendent has been unable, after a careful investigation to the forms of British law, to fix such charge of murder on any British subject.

"Without any charge whatever against your memorialists, individually or collectively, from the High Commissioner, in connexion with the ostensible cause of our actual expulsion from Macao, we were, first deprived of our servants and supplies of food, and then compelled to abandon our dwellings, without previous preparation, and in the possession of means barely adequate for the removal of our books,

Digitized by Google

papers, and articles of immediate use and necessity, under circumstances involving much cruel privation to families and invalids."

Elliott not deeming it safe to remain at Macao, embarked on the 21st with all the British residents on board of small vessels in convoy of one of her majesty's ships, and proceeded to the bay of Hong Kong. Unable to procure a mitigation of the severe regulations of the Chinese, on the 11th of September, he declared, through Captain Smith of H. B. M.'s ship Volage, the port of Canton in a state of blockade. In the despatch to Lord Palmerston, dated September 25th, Elliott excuses this measure on the ground that the sudden disappearance of an English armed schooner had led him to believe that a number of Englishmen had fallen into the hands of the Chinese. Whatever might have been the immediate occasion of this extraordinary resort to blockade, it was withdrawn on the sixteenth, and at the urgent request of the British merchants, who had grown jealous of the Americans monopolizing the whole trade with Canton, negotiations were again opened with a hope that difficulties might be satisfactorily adjusted. The Chinese continued to insist that the required bond should be agreed to, and the murderer of Lin Weihee be surrendered, with as much persistency as ever, up to the 20th of October, when Elliott succeeded in exacting an agreement which contained stipulations to the following effect:

"It has been agreed between their excellencies the High Commmissioner and Governor on the one side, and the Chief Superintendent of the trade of British subjects on the other, that, under existing circumstances:

"1. The British trade may be carried on outside the Bocca Tigris, without any necessity of signing the bond of consent to Chinese legislation, (to be handed to Chinese officers,) upon the condition that the ships be subjected to examination.

"2. That the place of resort shall be the anchorage between Amughoy and Chumpee.

"3. It is fully understood, that the vessels, while discharging their cargoes outside the Bogue, shall pay the measurement charge in the same manner as if they went up to Whampoa. The pilots' charges shall also be paid as usual. The linguist shall be paid in like manner.

"4. The vessels proceeding to Amughoy will transport their cargoes by means of *chop* boats, and will undergo search by the officers."

This agreement had scarcely been entered into, when an English vessel, the "Thomas Coutts," signed the bond against which Elliott had all along objected, entered the river, and sailed up as far as Whampoa, which is some distance within the Bocca Tigris. Of this incident Elliott, in the home despatch of November 5th, says,

"Since I closed my despatch of October 21st, a different and unhappy turn of affairs has been brought about, and I am grieved to report that this serious public mischief is attributable to the conduct of a British subject, Mr. Warner, master of the ship Thomas Coutts. Upon his arrival from Signapore, Mr. Warner did not repair to Hong Kong, but demanded his pilot permission, and proceeded to the Bocca Tigris, signed the required bond of consent to the new laws, involving the infliction of capital punishment by Chinese forms of trial; and the ship was immediately carried up to Whampoa. It is an aggravation of Mr. Warner's heavy

Digitized by Google

responsibility, that he was perfectly aware of the advanced state of my own negotiations with the Chinese Government, when he took this step."

A different interpretation was, however, put upon the affair by the Imperial Commissioner, who, supposing himself to have been deceived by the Superintendent, instantly broke off all further treaty, reiterated his demand for the slayer of Lin Weihee, insisted again upon the required bond, and, in case of refusal, ordered them to depart within three days from the coast, on pain of provoking the most signal vengeance of China. Captain Elliott repaired on board of the Volage, and directed all the British vessels to remove as soon as possible, to Chumpee Bay. On the morning of the 2d of November, the two ships of war, the Volage and Hyacinth, made anchor about one mile below Chumpee. A large number of Chinese war-junks and fire-ships had been collected previously at that station. After an interchange of notes between the British Superintendent and the Chinese admiral, in relation to the adjustment of existing difficulties, without result, the Chinese fleet weighed anchor and drew near the English vessels. Captain Smith, of the Volage, despatched an order, requesting them to retire to their former position, which was the anchoring ground to the north of Shakock. The reply was that Captain Smith's request would be acceded to, as soon as the murderer of Lin Weihee should be given up to the punishment of Chinese laws. Assuring them that he had no knowledge of the person whom they sought, Captain Smith made preparations for forcing the squadron back to the place they had left. In the attempt to do this, both parties were brought into direct conflict, and an action ensued, which in one of the despatches of Elliott is thus portrayed:

"At about noon, therefore, the signal was made to engage, and the ships, then lying hove-to on the extreme right of the Chinese force, bore away in a line ahead and close order, having the wind on the starboard beam. In this way, and under easy sail, they ran down the Chinese line, pouring in a destructive fire. The lateral direction of the wind enabled the ships to perform the same evolution from the opposite extreme of the line, running up it again with their larboard broadsides bearing. The Chinese answered with their accustomed spirit, but the terrible effect of our own fire was soon manifest. One war-junk blew up at about pistol-shot distance from this ship, a shot probably having passed through the magazine; three were sunk, and several others were obviously water-logged. It is an act of justice to a brave man to say, that the admiral's conduct was worthy of his station. His junk was evidently better armed and manned than the other vessels; and, after he had weighed, or, more probably, cut, or slipped, he bore up and engaged her Majesty's ships in handsome style, manifesting a resolution of behavior honorably enhanced by the hopelessness of his efforts. In less than three quarters of an hour, however, he, and the remainder of the squadron, were retiring in great distress to their former anchorage; and as it was not Capt. Smith's disposition to protract destructive hostilities, or, indeed, do more than repel onward movements, he offered no obstruction to their retreat; but discontinued the fire, and made sail for Macao, with the purpose to cover the embarkation of such of her Majesty's subjects as might see fit to retire from that place, and also to provide for the safety of the merchant-ships."

Digitized by Google

In this engagement one of the war-junks was blown up, five were sunk, and about five hundred, or as other accounts have it, nine hundred of the Chinese were killed. After the battle Elliott withdrew to Hong Kong, where he remained at the last advices, anxiously awaiting the action of the British government in the premises. A naval force has been ordered to go to his aid, and, so far as we see, the probability is that England and China will involve themselves in an expensive and bloody war.

Thus far, we have given a narrative of this dispute as impartial as it could be made from the conflicting accounts of the English writers, and the official despatches of the British agents. Various minute incidents, calculated to exasperate the respective parties, such as conflicts and fist fights between the private subjects of the two nations, have been purposely omitted, because not materially connected with the merits of the controversy, and not entitled to the dignity of being considered the actions of responsible persons. Enough we think is presented to enable our readers to understand the causes of existing difficulties, and the actual position of the dispute. It will be seen that there have been high-handed and violent proceedings on both sides, justified perhaps in the case of the Chinese, by the fact that they were an offended nation, but in respect to the English, too atrocious and insolent to admit of any palliation or excuse. Hostilities are to be deprecated with all the zeal that can be summoned to the cause of justice, peace, and humanity. What the power of England is, we know, and we know too, that in the Empire of China she will meet no puny or despicable foe. The habitual tone of contempt indulged in by many of the British orators and journalists is not well put on; nor does it become them to undervalue the energies of the oldest as well as the most populous and wealthiest nation of the world. A people that could have maintained their integrity so long unbroken must possess an internal strength which it would be unwise to trifle with, and dangerous to arouse. There was force in the remarks of Sir James Graham, made during the debate on Chinese affairs in the House of Commons, when he described the Chinese Empire as one inhabited by three hundred and fifty millions of human beings—all directed by the will of one man—all speaking one language—all governed by one code of laws—all professing one religion—all actuated by the same feelings of national pride and prejudice. They date their origin, not by centuries, but by tens of centuries, transmitted to them in regular succession, under a patriarchial government, without interruption; and boast of education, of printing, of civilization, of arts, and the conveniences and many of the luxuries of life as enjoyed by them when Europe was still sunk in barbarism, and when the light of knowledge was obscured in the western hemisphere.

"But," he added, "not only to their number—not only with regard

Digitized by Google

to that unity which is strength, but I call attention to their immense wealth. They possess an annual revenue of $50,000,000, regularly collected—they have no debt—they inhabit the largest and fairest portion of Asia, in nearly one-third of that which is in the tropical climate—they cultivate a most fruitful soil, which is watered by the largest river, and intersected by a canal twelve hundred miles in length, which is one of the standing wonders of the world, and in every portion of this immense empire there is one uniformity of system—one jealous suspicion of strangers, even, both on the shores of the Yellow Sea, and all the confines of India, and the boundaries of Ava, Tebet, and Nepaul."

ON THE ELEVATION OF THE LABORING PORTION OF THE COMMUNITY.*

In a former number, about a year ago, in a notice of an admirable essay under the title of "Self-Culture," a brief tribute was offered in the pages of this work to the noble spirit of democratic philanthropy with which the writings of Dr. Channing have been of late years especially imbued—and to the value of the contributions which have proceeded from his great and good mind towards that holy cause of the developement of the Democratic Principle, in this country and to the ends of the earth, which we most devoutly believe to be identified with all the highest and best interests of Humanity. It is a duty that we owe to that cause, not to let pass the occasion of the publication of the two Lectures referred to at the foot of this page, without a special commendation of them to our readers, with a view to the widest possible diffusion of them throughout the classes of society to which they particularly address themselves; at the same time that we both promote that object, and add a portion of their own interest and value to our present Number, by the quotation of liberal extracts from them.

The "Elevation of the Laboring Portion of the Community"—this is indeed the great social problem which it is the end and aim of our whole Democratic Civilization to work out. In comparison with this every other question which the widest range and the loftiest flight of human inquiry can present—exclusive of those relating more directly to the soul's own future immortal destinies—sinks into an insignificance that seems utterly unworthy of engaging the attention of a thinking man. A fearful and a sorrowful thing is it to contemplate the actual condition of that great mass of society indicated by the expression, its "*laboring*

* Lectures on the Elevation of the Laboring Portion of the Community. By William E. Channing. Boston: Published by William D. Ticknor, 1840.

Digitized by Google

portion," as it exists even in the most favored country—especially when we regard it in contrast with that ideal of which we have both the conception and the dim prophetic hope within our minds. Is not every single unit of that wretched and degraded mass—wretched from unceasing toil and care for the mere sustenance of animal existence, and degraded by the necessary consequent ignorance, and want of spiritual developement—*a man*, bringing with him from the generous hand of creative nature, each in his degree, all the elements and germs of those glorious capabilities of greatness and goodness which, under more fortunate circumstances, we have so often seen, in single instances, to raise men to a rank of moral elevation only a little lower than angels? And if all may not attain the highest degrees of excellence, is it not at least very certain that a wiser culture, and a better combination of those social influences which surround men as with an atmospheric pressure, could readily, within a brief number of generations, elevate the whole mass to a point of amelioration of their moral as well as physical condition, from which they are now seemingly at a hopeless distance?

The most bigoted asserter of the radical and pervading depravity of human nature will admit that every man possesses some original seeds of good at least within him. The admission is contained in the proposition that all are capable by their own effort in self-improvement, aided by the higher influence by which such effort will always be seconded, of working out their own future Eternal Salvation. And in all the hideous amount of wickedness and wretchedness by which the atmosphere we breathe is polluted and darkened, when has ever been seen such an instance of total, unredeemed depravity, that we are not ready to say that that man, steeped as he may have become in every imaginable foulness of crime, might not have been made—by the presence of happier influences presiding over the developement and formation of his character, guiding him from his cradle upwards into the pleasant paths of goodness, and training him to a right use of that fearful, while divine, faculty and responsibility, the freedom of the human will—a valuable and honorable member of society? Who, then, will deny the possibility at least of the object which philanthropic democracy proposes to itself, of a vast improvement and elevation of the condition of the mass of mankind, in spite of all the wretched experience of past thousands of years, if only the means can be devised of giving increased efficiency to all the good influences now in action in the institutions of society, and of extirpating, to the greatest extent practicable, all those unfavorable influences of external circumstances to which nine-tenths of the physical and moral degradation which now afflicts society appears directly traceable? And, if possible, how glorious the object—how worthy of the most zealous devotion of the loftiest powers of the human intellect! This is the point of view in which the science of Politics acquires its dignity

Digitized by Google

and its interest—a dignity and interest incomparably beyond the claims of any other subject of inquiry or action. It is because we believe the Democratic Principle capable of eventually working out the nearest possible approach to that ideal model of human society in which there shall be the maximum amount of good and happiness and the minimum amount of evil and misery, that we are devoted to the object of cultivating the developement of that Principle, and of combating all the malign influences which we see unceasingly at work among the institutions of society to impede and to pervert it. And much as there is with which we have little sympathy, both in the political morals, and in the practice, of both the great parties which now convulse the country in their struggle for the ascendency, it is because we know the Democratic Party to have at least the best title on the whole to the name to which their opponents have recently attempted to advance a claim—to be the party of the democratic movement—and to be at the present period actually pursuing a line of practical policy which we regard as a step of inappreciable importance in the progress of that movement—that it, its leading men, and its leading measures, command our earnest and anxious support.

But to return to the Lectures themselves which have suggested the above remarks, of which we desire not so much to present a criticism or analysis, as a few extracts, in which we only regret that our limits will not permit us to indulge more freely. They were prepared, as we are told in the preface, "for two meetings of Mechanics, one of them consisting of Apprentices, the other of adults;" and they are published at the request of "the Mechanics Apprentices' Library Association"—an excellent institution in the city of Boston, of which the character and objects are sufficiently indicated in its name. The following introductory remarks touch upon that great and sublime truth, of the new era which it is the mission of Democracy to establish in the world of which we have spoken above:

"It is with no common pleasure, that I take part in the present course of Lectures. Such a course is a sign of the times, and very interesting to all who are interested in the progress of their fellow-creatures. We hear much of the improvements of our age. The wonders achieved by machinery are the common talk of every circle; but I confess, that, to me, this gathering of mechanics' apprentices, whose chief bond of union is a library, and who come together weekly to refresh and improve themselves by the best instruction which the state of society places within their reach, is more encouraging than all the miracles of the machinist. In this meeting I see, what I desire most to see, that the mass of the people are beginning to comprehend themselves and their true happiness, that they are catching glimpses of the great work and vocation of human beings, and are rising to their true place in the social state. The present meeting indicates a far more radical, more important change in the world, than the steam-engine, or the navigation of the Atlantic in a fortnight. That members of the laboring class, at the close of a day's work, should assemble in such a hall as this, to hear lectures on science, history, ethics, and the most stirring topics of the day, from men whose education is thought to fit them for the highest offices, is a proof of a social revolution to which no bounds can be set, and from which too much cannot be hoped. I see in it a repeal of the sentence of degradation passed by ages on the mass of mankind. I see in it the dawn of a

Digitized by Google

new era, in which it will be understood, that the first object of society is to give incitements and means of progress to all its members. I see in it the sign of the approaching triumph of men's spiritual over their outward and material interests. In the hunger and thirst for knowledge and for refined pleasures, which this course of lectures indicates in those who labor, I see that the spirit of man is not always to be weighed down by toils for animal life and by the appetite for animal indulgencies. I do attach great importance to this meeting, not for its own sake or its immediate benefits, but as a token and pledge of a new impulse given to society through all its conditions. On this account I take more pleasure in speaking here, than I should feel in being summoned to pronounce a show-oration before all the kings and nobles on earth. In truth, it is time to have done with shows. The age is too stirring—we are pressed on by too solemn interests, to be justified in making speeches for self-display or mere amusement. He who cannot say something in sympathy with, or in aid of, the great movements of humanity, might as well hold his peace."

Passing, then, to his subject of the elevation of the laboring portion of society, Dr. Channing devotes the first Lecture to the consideration of the question, in what this elevation consists. The second answers objections to its practicableness, and speaks of some of the circumstances which now favor it, and give us hope that it will be more and more accomplished. Beginning with stating in what it does *not* consist, he thus places in a strong light the dignity and value of labor:

"By the elevation of the laborer, I do not understand that he is to be raised above the need of labor. I do not expect a series of improvements by which he is to be released from his daily work. Still more, I have no desire to dismiss him from his workshop and farm, to take the spade and axe from his hand, and to make his life a long holyday. I have faith in labor, and I see the goodness of God in placing us in a world where labor alone can keep us alive. I would not change, if I could, our subjection to physical laws, our exposure to hunger and cold, and the necessity of constant conflicts with the material world. I would not, if I could, so temper the elements, that they should infuse into us only grateful sensations, that they should make vegetation so exuberant as to anticipate every want, and the minerals so ductile as to offer no resistance to our strength or skill. Such a world would make a contemptible race. Man owes his growth, his energy, chiefly to that striving of the will, that conflict with difficulty, which we call Effort. Easy, pleasant work does not make robust minds, does not give men a consciousness of their powers, does not train them to endurance, to perseverance, to steady force of will, that force without which all other acquisitions avail nothing. Manual labor is a school, in which men are placed to get energy of purpose and character, a vastly more important endowment than all the learning of all other schools. They are placed, indeed, under hard masters, physical sufferings and wants, the power of fearful elements, and the vicissitudes of all human things; but these stern teachers do a work which no compassionate, indulgent friend could do for us; and true wisdom will bless Providence for their sharp ministry. I have great faith in hard work. The material world does much for the mind by its beauty and order; but it does more for our minds by the pains it inflicts, by its obstinate resistance which nothing but patient toil can overcome, by its vast forces which nothing but unremitting skill and effort can turn to our use, by its perils which demand continual vigilance, and by its tendencies to decay. I believe that difficulties are more important to the human mind than what we call assistances. Work we all must, if we mean to bring out and perfect our nature. Even if we do not work with the hands, we must undergo equivalent toil in some other direction. No business or study which does not present obstacles, tasking to the full the intellect and the will, is worthy of a man. In science, he

Digitized by Google

who does not grapple with hard questions, who does not concentrate his whole intellect in vigorous attention, who does not aim to penetrate what at first repels him, will never attain to mental force. The uses of toil reach beyond the present world. The capacity of steady, earnest labor is, I apprehend, one of our great preparations for another state of being. When I see the vast amount of toil required of men, I feel, that it must have important connexions with their future existence; and that he, who has met this discipline manfully, has laid one essential foundation of improvement, exertion, and happiness in the world to come. You will here see that to me labor has great dignity. It is not merely the grand instrument by which the earth is overspread with fruitfulness and beauty, and the ocean subdued, and matter wrought into innumerable forms for comfort and ornament. It has a far higher function, which is to give force to the will, efficiency, courage, the capacity of endurance and of persevering devotion to far-reaching plans. Alas, for the man who has not learned to work! He is a poor creature. He does not know himself. He depends on others, with no capacity of making returns for the support they give; and let him not fancy that he has a monopoly of enjoyment. Ease, rest, owes its deliciousness to toil; and no toil is so burdensome as the rest of him who has nothing to task and quicken his powers."

Still less does it consist in a participation in the luxurious habits and conventional manners of those circles of society which are sent to claim the peculiar designation of its "upper classes:

"I add, in the next place, that this elevation is not to be gained by efforts to force themselves into what are called the upper ranks of society. I wish them to rise, but I have no desire to transform them into gentlemen or ladies, according to the common acceptation of these terms. I desire for them not an outward and showy, but an inward and real change; not to give them new titles and an artificial rank, but substantial improvements and real claims to respect. I have no wish to dress them from a Parisian tailor's shop, or to teach them manners from a dancing school. I have no desire to see them, at the end of the day, doff their working dress, that they may play a part in richly attired circles. I have no desire, that they should be admitted to luxurious feasts, or should get a taste for gorgeous upholstery. There is nothing cruel in the necessity, which sentences the multitude of men to eat, dress, and lodge plainly and simply, especially where the sentence is executed so mildly as in this country. In this country, where the demand for labor is seldom interrupted, and the openings for enterprise are numerous beyond precedent, the laboring class, with few exceptions, may well be satisfied with their accomodations. Very many of them need nothing but a higher taste for beauty, order, and neatness, to give an air of refinement and grace as well as comfort to their establishments. In this country the mass of laborers have their share of outward good. Their food, abundant and healthful, seasoned with the appetite which labor gives, is, on the whole, sweeter as well as healthier than the elaborate luxuries of the prosperous; and their sleep is sounder and more refreshing than falls to the lot of the less employed. Were it a possible thing, I should be sorry to see them turned into men and women of fashion. Fashion is a poor vocation. Its creed, that idleness is a privilege, and work a disgrace, is among the deadliest errors. Without depth of thought, or earnestness of feeling, or strength of purpose, living an unreal life, sacrificing substance to show, substituting the factitious for the natural, mistaking a crowd for society, finding its chief pleasure in ridicule, and exhausting its ingenuity in expedients for killing time, fashion is among the last influences under which a human being, who respects himself or who comprehends the great end of life, would desire to be placed. I use strong language, because I would combat the disposition, too common in the laboring mass, to regard what is called the upper class with envy or admiration. This disposition manifests itself among them in various forms. Thus, when one of their number prospers, he is apt to forget his old ac-

Digitized by Google

quaintance, and to work his way, if possible, into a more fashionable caste. As far, indeed, as he extends his acquaintance among the intelligent, refined, generous and truly honorable, he makes a substantial improvement of his condition; but if, as is too often the case, he is admitted by way of favor into a circle, which has few claims, beyond those of greater luxury and show, and which bestows on him a patronizing, condescending notice, in exchange for his old, honorable influence among his original associates, he does anything but rise. Such is not the elevation I desire for the laborer. I do not desire him to struggle into another rank. Let him not be a servile copyist of other classes, but aim at something higher than has yet been realized in any body of men. Let him not associate the idea of dignity or honor with certain modes of living, or certain outward connexions. I would have every man stand on his own ground, and take his place among men according to personal endowments and worth, and not according to outward appendages; and I would have every member of the community furnished with such means of improvement, that, if faithful to himself, he may need no outward appendage to attract the respect of all around him."

Neither is it in an over-estimation of the importance and value of political action, with an attempt to monopolize, as a distinct class, the control of the powers of government; and on this point Dr. Channing makes the following remarks, of which we regret to have to acknowledge the general truth—though we doubt not that the number of those among us, who do at the present period cultivate the science of politics in the lofty spirit, and with the noble aim, alluded to by him, is much larger than he probably supposes. We can only speak, of our own knowledge and observation, of the one side of the political contest now raging throughout the country, and can conscientiously declare that the animating spirit which now constitutes the health and strength of the Democratic party in the great movement of reform in which it is engaged—(of the "politicians by profession" on either side we say nothing)—is one of the purest philanthropy, enlightened by the clearest convictions of reason. Nor do we doubt that many of our opponents can with equal sincerity, with reference to the opposite point of view from which they look upon the same questions, make the same declaration, though we think the general character of their present party movement and cause as sordid in its motive, and as unprincipled and factious in its ends, as we are firmly assured that its success would prove it pernicious in its tendency to the best interests of the country, and of the universal cause of democracy:

"I am sorry to say it, but the truth should be spoken, that, at the present moment, political action in this country does little to lift up any who are concerned in it. It stands in opposition to a high morality. Politics, indeed, regarded as the study and pursuit of the true, enduring good of a community, as the application of great unchangeable principles to public affairs, is a noble sphere of thought and action; but politics, in its common sense, or considered as the invention of temporary shifts, as the playing of a subtle game, as the tactics of party for gaining power and the spoils of office, and for elevating one set of men above another, is a paltry and debasing concern. The laboring class are sometimes stimulated to seek power as a class, and this it is thought will raise them. But no class as such should bear rule among us. All conditions of society should be represented in the government, and alike protected by it; nor can anything be expected but disgrace to the individual and the country, from the success of any class in grasping at a monopoly of political power.

Google

I would by no means discourage the attention of the people to politics. They ought to study in earnest the interests of the country, the principles of our institutions, the tendencies of public measures. But the unhappiness is, they do not *study*; and, until they do, they cannot rise by political action. A great amount of time, which, if well used, would form an enlightened population, is now wasted on newspapers and conversations which inflame the passions, which unscrupulously distort the truth, which denounce moral independence as treachery to one's party, which agitate the country for no higher end than a triumph over opponents; and thus multitudes are degraded into men-worshippers or men-haters, into the dupes of the ambitious, or the slaves of a faction. To rise, the people must substitute reflection for passion. There is no other way. By these remarks, I do not mean to charge on the laboring class all the passionateness of the country. All classes partake of the madness, and all are debased by it. The fiery spirits are not confined to one portion of the community. The men whose ravings resound through the hall of Congress, and are then circulated through the country as eloquence, are not taken from among those who toil. Party prejudices break out as fiercely on the exchange, and even in the saloon, as in the workshop. The disease has spread everywhere. Yet it does not dishearten me, for I see that it admits of mitigation, if not of cure. I trust, that these lectures and other sources of intellectual enjoyment, now opening to the public, will abate the fever of political excitement, by giving better occupation to the mind. Much, too, may be hoped from the growing self-respect of the people, which will make them shrink indignantly from the disgrace of being used as blinded partisans and unreflecting tools. Much also is to be hoped from the discovery, which must sooner or later be made, that the importance of government is enormously overrated, that it does not deserve all this stir, that there are vastly more effectual means of human happiness. Political institutions are to be less and less deified, and to shrink into a narrower space; and just in proportion as a wiser estimate of government prevails, the present phrenzy of political excitement will be discovered and put to shame."

Having thus stated in what the contemplated elevation of the laboring mass does *not* consist—neither in exemption from manual toil, nor in the luxuries of fashionable rank, nor in mere political power, as a distinctive class—Dr. Channing then proceeds to explain the *Elevation of Soul* to which he wishes them to rise, as consisting "first in Force of Thought exerted for the acquisition of Truth, secondly, in Force of Pure and Generous Feeling, thirdly, in Force of Moral Purpose."

"I say, every man is to be a student, a thinker. This does not mean, that he is to shut himself within four walls and bend body and mind over books. Men thought before books were written, and some of the greatest thinkers never entered what we call a study. Nature, Scripture, society, and life, present perpetual subjects for thought; and the man who collects, concentrates, employs his faculties on any of these subjects for the purpose of getting the truth, is so far a student, a thinker, a philosopher, and is rising to the dignity of a man. It is time that we should cease to limit to professed scholars the titles of thinkers, philosophers. Whoever seeks truth with an earnest mind, no matter when or how, belongs to the school of intellectual men.

In a loose sense of the word, all men may be said to think; that is, a succession of ideas, notions, passes through their minds from morning to night; but in as far as this discussion is passive, undirected, or governed only by accident and outward impulse, it has little more claim to dignity than the experience of the brute, who receives, with like passiveness, sensations from abroad through his working hours. Such thought, if thought it may be called, having no aim, is as useless, as the visions

Digitized by Google

of an eye, which rests on nothing, which flies without pause over earth and sky, and of consequence receives no distinct image. Thought, in its true sense, is an energy of intellect. In thought, the mind not only receives impressions or suggestions from without or within, but re-acts upon them, collects its attention, concentrates its forces upon them, breaks them up and analyzes them like a living laboratory, and then combines them anew, traces their connexions, and thus impresses itself on all the objects which engage it.

"The universe in which we live was plainly meant by God to stir up such thoughts as has now been described. It is full of difficulty and mystery, and can only be penetrated and unravelled by the concentration of the intellect. Every object, even the simplest in nature and society, every event of life, is made up of various elements subtly bound together; so that to understand anything, we must reduce it from its complexity to its parts and principles, and examine their relations to one another. Nor is this all. Everything, which enters the mind, not only contains a depth of mystery in itself, but is connected by a thousand ties with all other things. The universe is not a disorderly, disconnected heap, but a beautiful whole, stamped with unity, so as to be an image of the One Infinite Spirit. Nothing stands alone All things are knit together, each existing for all and all for each. The humblest object has infinite connexions. The vegetable, which you saw on your table to day, came to you from the first plant which God made to grow on the earth, and was the product of the rains and sunshine of six thousand years. Such a universe demands thought to be understood; and we are placed in it to think, to put forth the power within, to look beneath the surface of things, to look beyond particular facts and events to their causes and effects, to their reasons and ends, their mutual influences, their diversities and resemblances, their proportions and harmonies, and the general laws which bind them together. This is what I mean by thinking; and by such thought the mind rises to a dignity, which humbly represents the greatness of the Divine intellect; that is, it rises more and more to consistency of views, to broad general principles, to universal truths, to glimpses of the order and harmony and infinity of the Divine system, and thus to a deep, enlightened veneration of the Infinite Father. Do not be startled, as if I were holding out an elevation of mind utterly to be despaired of; for all thinking, which aims honestly and earnestly to see things as they are, to see them in their connexions, and to bring the loose, conflicting ideas of the mind into consistency and harmony, all such thinking, no matter in what sphere, is an approach to the dignity of which I speak. You are all capable of the thinking which I recommend. You have all practised it in a degree. The child, who casts an inquiring eye on a new toy, and breaks it to pieces that he may discover the mysterious cause of its movements, has begun the work of which I speak, has begun to be a philosopher, has begun to penetrate the unknown, to seek consistency and harmony of thought; and let him go on as he has begun, and make it one great business of life to inquire into the elements, connexions, and reasons of whatever he witnesses in his own breast, or in society, or in outward nature, and, be his condition what it may, he will rise by degrees to a freedom and force of thought, to a breadth and unity of views, which will be to him an inward revelation and promise of the intellectual greatness for which he was created."

But it is only in the spirit of the Love of Truth that force of thought should be exerted, or can be cultivated to any valuable end. It may be prostituted to mean and selfish motives, and in the cause of Falsehood and Wrong.

"But energy of thought, so employed, is suicidal. The intellect, in becoming a pander to vice, a tool of the passions, an advocate of lies, becomes not only degraded, but diseased. It loses the capacity of distinguishing truth from falsehood, good from evil, right from wrong; it becomes as worthless as an eye which cannot dis-

Digitized by Google

tinguish between colors or forms. Wo to that mind which wants the love of truth! For want of this, genius has become a scourge to the world, its breath a poisonous exhalation, its brightness a seducer into paths of pestilence and death. Truth is the light of the Infinite Mind, and the image of God in his creatures. Nothing endures but truth. The dreams, fictions, theories which men would substitute for it, soon die. Without its guidance effort is vain, and hope baseless. Accordingly, the love of truth, a deep thirst for it, a deliberate purpose to seek it and hold it fast, may be considered as the very foundation of human culture and dignity. Precious as thought is, the love of truth is still more precious; for without it, thought wanders and wastes itself, and precipitates men into guilt and misery. There is no greater defect in education and the pulpit, than that they inculcate so little an impartial, earnest, reverential love of truth, a readiness to toil, to live and die for it. Let the laboring man be imbued in a measure with this spirit; let him learn to regard himself as endowed with the power of thought, for the very end of acquiring truth; let him learn to regard truth as more precious than his daily bread; and the spring of true and perpetual elevation is touched within him. He has begun to be a man; he becomes one of the elect of his race. Nor do I despair of this elevation of the laborer. Unhappily little, almost nothing has been done as yet, to inspire either rich or poor with the love of truth for its own sake, or for the life, and inspiration, and dignity it gives to the soul. The prosperous have as little of it as the laboring mass. I think, indeed, that the spirit of luxurious, fashionable life is more hostile to it than the hardships of the poor. Under a wise culture this spirit may be awakened in all classes, and wherever awakened, it will form philosophers, successful and noble thinkers. These remarks seem to me particularly important, as showing how intimate a union subsists between the moral and intellectual nature, and how both must work together from the beginning. All human culture rests on a moral foundation, on an impartial, disinterested spirit, on a willingness to make sacrifices to the truth. Without this moral power, mere force of thought avails nothing towards our elevation."

After a brief but comprehensive allusion to the vast range of objects of thought presented to the mind of the humble son of toil in that physical world which is the sphere of his daily labor, he next speaks of the spiritual world of which the former is but the shadow, though every human being possesses in his own nature the key to all the various sciences into which we are wont to classify it, formidable as seems the list which embraces theology, metaphysics, moral philosophy, political science, history, literature. Without a specific knowledge of what has been thought and written in regard to the spiritual nature—without becoming an Encyclopedia—all men are capable of comprehending and feeling the Great Ideas in which all discoveries terminate, which sum up all sciences, and which the philosopher extracts from infinite details. For example, says the author:

"I do not expect the laborer to study theology in the ancient languages, in the writings of the Fathers, in the history of sects, &c., &c.; nor is this needful. All theology, scattered as it is through countless volumes, is summed up in the idea of God; and let this idea shine bright and clear in the laborer's soul, and he has the essence of theological libraries, and a far higher light than has visited thousands of renowned divines. A great mind is formed by a few great ideas, not by an infinity of loose details. I have known very learned men, who seemed to me very poor in intellect, because they had no grand thoughts. What avails it, that a man has studied never so minutely the histories of Greece and Rome, if the Great Ideas of

Digitized by Google

Freedom, and Beauty, and Valor, and Spiritual Energy have not been kindled by these records into living fires in his soul. The illumination of an age does not consist in the amount of its knowledge, but in the broad and noble principles, of which that knowledge is the foundation and inspirer. The truth is, that the most laborious and successful student is confined in his researches to a very few of God's works; but this limited knowledge of things may still suggest universal laws, broad principles, grand ideas, and these elevate the mind. There are certain thoughts, principles, ideas, which, by their nature, rule over all knowledge, which are intrinsically glorious, quickening, all-comprehending, eternal, and with these I desire to enrich the mind of the laborer and of every human being."

After assigning the first place to the great idea of God, the Parent Mind, the Primitive and Infinite Intelligence—of which he truly says that, "this one idea, expanded in the breast of the laborer, is a germ of elevation, more fruitful than all science, no matter how extensive or profound, which treats only of outward finite things"—he continues in the following grand strain of lofty thought and noble expression:

"From the idea of God, I proceed to another grand one, that of Man, of human nature; and this should be the object of serious, intense thought. Few men know as yet what a man is. They know his clothes, his complexion, his property, his rank, his follies and his outward life. But the thought of his inward being, his proper humanity, has hardly dawned on multitudes; and yet who can live a man's life, that does not know what is the distinctive worth of a human being? It is interesting to observe, how faithful men generally are to their idea of a man; how they act up to it. Spread the notion, that courage is true manhood, and how many will die rather than fall short of that standard; and hence, the true idea of a man, brought out in the laborer's mind, elevates him above every other class who may want it. Am I asked for my conception of the dignity of a human being? I should say, that it consists, first, in that spiritual principle, called sometimes the Reason, sometimes the Conscience, which rising above what is local and temporary, discerns immutable truth, and everlasting right; which, in the midst of imperfect things, conceives of Perfection; which is universal and impartial, standing in direct opposition to the partial, selfish principles of human nature; which says to me with authority, that my neighbor is as precious as myself, and his rights as sacred as my own; which commands me to receive all truth, however it may war with my pride, and to do all justice, however it may conflict with my interest; and which calls me to rejoice with love in all that is beautiful, good, holy, happy in whatever being these attributes may be found. This principle is a ray of Divinity in man. We do not know what man is, till something of the celestial grandeur of this principle in the soul be discerned. There is another grand view of man, included, indeed, in the former, yet deserving distinct notice. He is a Free being; created to act from a spring in his own breast, to form himself and to decide his own destiny; connected intimately with nature, but not enslaved to it; connected still more strongly with God, yet not enslaved even to the Divinity, but having power to render or withhold the service due to his Creator; encompassed by a thousand warring forces, by physical elements which inflict pleasure and pain, by dangers seen and unseen, by the influences of a tempting, sinful world, yet endued by God with power to contend with all, to perfect himself by conflict with the very forces which threaten to overwhelm him. Such is the idea of a man. Happy he in whom it is unfolded by earnest thought.

"Had I time I should be glad to speak of other great ideas belonging to the science of mind, and which sum up and give us, in one bright expression, the speculations of ages. The idea of Human Life, of its true end and greatness; the idea of Virtue, as the absolute and ultimate good; the idea of Liberty, which is the

Digitized by Google

highest thought of political science, and which, by its intimate presence to the minds of the people, is the chief spring of our country's life and greatness—all these might be enlarged on; and I might show how these may be awakened in the laborer, and may give him an elevation which many who are above labor want. But, leaving all these, I will only refer to another, one of the most important results of the science of mind, and which the laborer, in common with every man, may and should receive, and should strengthen by patient thought. It is the Idea of his importance as an Individual. He is to understand that he has a value, not as belonging to a community, and contributing to a general good which is distinct from himself, but on his own account. He is not a mere part of a machine. In a machine the parts are useless, but as conducing to the end of the whole, for which alone they subsist. Not so a man. He is not simply a means, but an end, and exists for his own sake, for the unfolding of his nature, for his own virtue and happiness. True, he is to work for others, but not servilely, not with a broken spirit, not so as to degrade himself; he is to work for others from a wise self-regard, from principles of justice and benevolence, and in the exercise of a free will and intelligence, by which his own character is perfected. His individual dignity, not derived from birth, from success, from wealth, from outward show, but consisting in the indestructible principles of his soul, this ought to enter into his habitual consciousness. I do not speak rhetorically or use the cant of rhapsodists, but I utter my calm, deliberate conviction, when I say, that the laborer ought to regard himself with a self-respect unknown to the proudest monarch who rests on outward rank.

"I have now illustrated what I mean by the Great Ideas which exalt the mind. Their worth and power cannot be exaggerated. They are the mightiest influences on earth. One great thought breathed into a man may regenerate him. The idea of Freedom in ancient and modern republics, the idea of Inspiration in various religious sects, the idea of Immortality, how have these triumphed over worldly interests! How many heroes and martyrs have they formed! Great ideas are mightier than the passions. To awaken them is the highest office of education. As yet it has been little thought of. The education of the mass of the people has consisted in giving them mechanical habits, in breaking them to current usages and modes of thinking, in teaching religion and morality as traditions. It is time that a rational culture should take place of the mechanical; that men should learn to act more from ideas and principles, and less from blind impulse and undiscerning imitation."

The preceding quotations are from the first of the two Lectures we have referred to; the length to which we have found ourselves tempted to indulge in them renders it necessary to leave for a second notice, in our next Number, the other Lecture, in which Dr. Channing considers several of the objections commonly advanced against the practicableness of the general elevation spoken of for the laboring mass of society, and of some of the circumstances that now tend to favor it. As they are the last, so do we consider these discourses as the best, of the writings of their illustrious author; and replete as they are with pregnant democratic truth, and animated with the purest and wisest philanthropy, we regard them as far better entitled than the stateliest quarto that the press could produce on any other subject, to fill a large portion of the pages of this work—to which we only regret the impossibility of transferring them in their entire length and completeness.

Digitized by Google

POLITICAL PORTRAITS, WITH PEN AND PENCIL.

NO. XIX.

BENJAMIN TAPPAN, SENATOR FROM OHIO.

On the opposite page is a faithful representation of the strongly marked and intellectual countenance of one who has been styled by a contemporary "the venerable patriarch of the Ohio democracy."

It presents him to the eye as he now daily appears amid the exciting scenes of the American Senate—calm, collected, and attentive, with the apparent self-possession of one not unconscious of superior strength.

In briefly sketching the incidents of Judge Tappan's life, we may dwell with more particularity upon those of his boyhood, than may be interesting to persons of mature years, but our apology must be found in the desire to furnish something that may be interesting, and perhaps useful, to the young; and to stimulate them by a fine example to form in early life correct habits of industry and sobriety—to establish for their own guidance just principles of thought and action.

In this republic man is born free—and no one has a right to consider the advantages of another superior to his own. Here every trade, occupation, or profession, is alike open to all, and it is the privilege of each to seek that for which nature has designed him, or to which fortune or fancy directs his attention. Whatever pursuit he may choose to prosecute, the young American knows at the outset that it is eminently his prerogative to seek the qualifications necessary to success—to enable him to think and act independently—either in the acquisition of wealth and honors, science or fame. No other country offers equal encouragement to individual effort. None can show an equal proportion of her sons who have attained eminence by dint of their own unaided exertions. No prouder proof of the virtue and value of our republican government can be furnished than this fact. Youth, therefore, is the important time to select the true path to greatness and honor. If then adopted, and pursued with perseverance and industry, without departures from private and political integrity of character, ultimate triumph never fails to crown the efforts of the young aspirant.

Benjamin Tappan was born of reputable parents, on the 25th day of May, 1773, at Northampton, Massachusetts. He was the eldest son of a numerous family, and gave early evidence of superior capacity. Having received the usual advantages of the school education common to his native State, he was at the age of ten years, with a

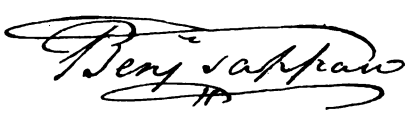
Digitized by Google

Digitized by Google

common to his native State, he was at the age of ten years, with a

Digitized by Google

Engraved by P.R.Rosson from a Painting by Blanchard



For the U.S. Magazine & Democratic Review

Digitized by Google

Digitized by Google

view to preparation for entering Harvard College, placed in an academical institution, where he remained four years, profiting industriously by such opportunities as were afforded by it. But one evening overhearing a conversation between his parents, in which his father expressed doubts whether he should be able to give him a collegiate education without doing injustice to his other children, and an unwillingness to disappoint him in a matter about which he appeared so anxious, he resolved to relieve his parent from an expense which he knew would be burthensome, and the next morning informed him, that he had been reflecting upon the propriety of his entering college, and had come to the conclusion that it would be better for him to learn a trade. At this his father remonstrated, but not knowing the cause of the sudden change of his determination, and being unable to persuade him to pursue his studies, he set him at work the next day in his own shop, where for many years he had carried on the trade of a goldsmith. The strong repugnance exhibited by this instance to be burthensome to his friends, or to receive preferment at the expense of injustice to others, and the decision and firmness of character adequate to making so great a personal sacrifice, rather than deviate from what in his reflecting moments he considered just, have marked his conduct through life. A singular coincidence also renders it remarkable. His father was one of the twelve children of the Rev. Benjamin Tappan of Manchester, Mass. At the age of fourteen, for a similar cause, he left his studies and learned the trade of a goldsmith, not, it is true, in his father's shop, but with Mr. Wm. Holmes of Boston, a nephew of Dr. Benjamin Franklin, and whose daughter subsequently became his wife, and the mother of the subject of this article.

Although determined from this time to seek other means of livelihood, he worked faithfully with his father, and at different mechanic trades, until he reached the age of twenty-one, neglecting no means of acquiring as much skill as could well be attained in so short a period by one having a natural taste for such pursuits. In addition to the business carried on in his father's shop, at which he became one of his best workmen, he learned copper-plate engraving and printing, and without the aid of an instructor polished his own plates, printed from his own engravings, and often engraved from his own drawings —an art in which previous to his leaving school he had received so much instruction and encouragement, as to have made himself a very exact copyist. He also worked some time in manufacturing military arms, and musical instruments, and at clock and watch-making. For instruction in the last he paid, in addition to his labor, one hundred dollars. If he could not properly be termed at twenty-one a finished workman in any of these trades, he was yet able to earn his livelihood at either of them, and in some of them exhibited far more than ordinary skill.

Notwithstanding his apparent devotion to the mechanic trades,

Digitized by Google

literature and science were not forgotten. Every interval between the hours of labor and rest was husbanded with care, and improved in strengthening and storing a memory naturally retentive. Every book, pamphlet, and newspaper, which he could procure, was read and its contents, when thought worthy, carefully treasured up.

The struggle for American Independence, then recent, had already attracted the attention of our brethren of the Eastern Continent, giving rise to new and exciting questions on that side of the Atlantic, and keeping alive in the new world the agitating topics belonging to revolutionary times. Republican France, in its efforts to throw off the unnatural yoke of an imbecile hereditary monarchy, was reduced to a mere hot-bed of faction. Torn and distracted by the bitter conflicts of party strife, by the treachery of domestic demagogues, and on all sides threatened by the warlike nations of the continent, trembling for the fate of their Kings—her own people yet unprepared for a state of republican Liberty—she was still making gigantic efforts to achieve the freedom so gallantly secured to us and our posterity by the blood, fortitude, and treasure of our patriot ancestors. He was too vigilant an observer to neglect to notice the signs of the times in a manner calculated to stamp on his mind abiding impressions, decisive of his future career. Notwithstanding the awkwardness of their efforts, and the want, but ill-concealed, of those requisites which were necessary to secure permanently the noble object of their aim, he saw that the prize for which Frenchmen were contending was LIBERTY, and he sympathized with them.

In America Democracy was yet in its infancy. Federal arrogance treated the name as a reproach—a word to denote the "simple men" and "sans-culottes," and distinguish them from "the rich and well born;" and the virtuous yeomanry of the Union had not yet made it so honorable by long use, that it could well sustain the odium of all the acts falsely committed in its name by some of the factious and bad spirits of France. This did not deter him from joining the Democratic ranks and defending their principles. He contributed to their presses, and openly united with them by joining in the supper given at the rejoicing for the recapture of Toulon from the British and Spanish combined forces.

At this time he boarded in the family of an intimate friend by the name of Wadsworth, who had been advised by his physicians to take a sea voyage as the only means of relief from a serious pulmonary complaint; but who was too feeble to undertake the voyage unattended by a friend, and unable to procure one and defray his expenses. Mr. Tappan volunteered to accompany him at his own expense, and his services were thankfully accepted. They accordingly took passage on board the brig *Jason*, Captain *Moses Tryon*,* master, bound for

* A captain afterwards of the U. S. N.

Digitized by Google

Barbadoes; and after a delay of three weeks by unfavorable winds, sailed from New London in June, 1794. Soon after they were at sea it was found by him that of the three quadrants on board all were so out of order that a correct observation could not be made with any, within five miles, and the captain and crew knew neither the cause nor how to remedy it. His mechanical skill came here into useful play, and enabled him to heal the difficulty.

On the outward voyage, he mixed with the common sailors, and shared in their labors. They welcomed him as a useful volunteer, and cheerfully instructed him in every part of their duty. Long before his return, he had so well reduced to practice the science of navigation, which he had before learned theoretically, that on the homeward voyage to New York, in which the ship touched at St. Lucie, Martinique, Eustatia, St. Thomas and Turk's Islands, Captain Tryon surrendered his quadrant and log-book to him, and took no observation, and kept no reckoning himself. After he reached New York, he engaged a passage to Bordeaux, with a design to join the republican party in France; but mentioning to the captain that he had inoculated himself for the small-pox, he was advised not to risk his life at sea, as there would be no one on board capable of rendering him proper assistance, in case of sickness from that disease; hence the voyage was abandoned, but not the intention of visiting Europe The belief that portrait painting would be more serviceable than any other pursuit, if, in the subsequent travels which he designed to prosecute, he should find himself thrown on his own resources and destitute in a foreign country, induced him to acquire that art; he accordingly entered the studio of Gilbert Stewart, 103 Stone-street, New York, and painted several months under the instruction of that eminent artist, employing his leisure hours in reading, and in occasionally assisting an apothecary as a means of defraying a small portion of his frugal expenses. By Mr. Stewart's advice he went into the country and painted for some time, giving general satisfaction to his employers, and acquiring considerable reputation. In this excursion he formed an intimacy with the Rev. Mr. Baldwin, the amiable rector of the church at Stratford, Connecticut. With him he united in opposing the project of appropriating the proceeds of the Western Reserve lands in Ohio to the support of the church, instead of common schools, then strongly advocated by Dr. Timothy Dwight. While Mr. Baldwin wrote in prose—somewhat stimulated, perhaps, by the consciousness that if these funds were devoted to the church, the Congregational society, being the most influential, would control the money to the exclusion of the smaller societies—Mr. Tappan employed his pen in satirical poetry, and labored to produce the same result, as tending most to secure the greatest good to the greatest number. It was this union of the Democratic party with the small sects, jealous of the power and numbers of the Congregationalists, that saved to Con-

Digitized by Google

necticut her invaluable school fund in spite of the Federalists, and the eloquent preaching of Dr. Dwight. The democracy of Connecticut appreciated this service, and time has developed the importance of the triumph in such a manner, that it will hardly be forgotten while the munificent fund remains as a memorial of the contest, and continues to keep open the portals of science for the entrance of the friendless child of poverty and the orphan.

From Stratford he returned to Northampton, where he spent some time, occasionally painting portraits, attending to the store of his father, now a merchant, and studying books upon Anatomy and Medicine, preparatory to engaging in practice as a physician—which he at one time contemplated. In April, 1796, however, he contracted with the late Gideon Granger of Suffield, Connecticut, having determined to commence the study of the Law in his office. He remained there for three years, a most laborious student. The political opinions of Mr. Granger at this period of his life are a part of his country's history, yet they were not of a more fixed and decided cast than were the opinions of most of his students. It was at this time that the Federalists first introduced the black cockade as a badge of distinction; and although it may not be said that political misrepresentation had been brought to the state of perfection which it has now attained under federal auspices, or that their presses and orators were equally skilful at slander and falsehood, yet it can hardly be denied that their conduct exhibited as much if not more personal animosity and hatred. It was then quite common for the Black Cockade gentry, as they were called, to insult personally those who would not wear their badge, particularly the young men. To prevent this, Mr. Granger's students each procured a stout hickory cane which they always carried with them, and their example was soon followed by nearly all the Democrats of Connecticut and Massachusetts, so that in a short time the Federalists were readily distinguished by their badge, and the Democrats as readily by their hickory walking sticks. As nature had not bestowed upon him the negative qualities requisite to glide along among such scenes as an idler or unnoticed spectator, Mr. Tappan of course soon became conspicuous, and an object of peculiar dislike and hatred to the one party, as he was of friendship and favor with the other. To make him feel the effects of their disposition towards him, the Federal lawyers determined, if possible, to prevent his admission to the bar. They had already been successful in a similar attempt upon a worthy young man in the county of Toland, and they made the trial with him. They dared not encounter the popular odium of a rejection upon political grounds solely. The probability of arousing the indignation of the sturdy farmers of New England by such a course was too great a hazard to be risked by even the impudence of the Federal lawyers of that day. Hence an accusation was to be made which would appear to furnish a plausible pretext. But this

Digitized by Google

was not a matter free from difficulty. His private character, integrity, and professional attainments offered no feasible point of attack, nothing upon which to found an imputation. It furnishes proud evidence of the fair character which he bore, that political malignity, with its inventive powers and multifarious means of detraction and calumny, was finally driven to the sorry impeachment of *sedition and blasphemy*. In support of this grave charge, no proof was offered but a piece of poetry originally published in the Democratic paper at Suffield, from which it was reprinted in most of the Democratic papers of the United States. It was written on the occasion of the proclamation for a fast by John Adams, dated May 23d, 1798, which was considered by the Democrats as designed to excite our countrymen to a war with the French nation, and not from any sincere desire to worship the Almighty.

Although written evidently with reference to the sentiments of that party at the time, rather than for poetical celebrity, we give it below* as connected with our remarks, and in some respects explanatory of the feelings of the parties of 1798.

---

* PSALM.

For the Federal Fast.

To the tune of the 148th Psalm.

I.

Ye federal states combine,
In solemn fast and prayer;
And urge the powers divine
To drive us into war:
With voices strong,
Each Federalist,
On pension list,
Begin the song.

II.

Thy voice, O Pickering, raise,
And Wolcott, join the song;
Sing to Britannia's praise,
Let Jay the strain prolong:
Your ancient friend,
Ye men in power,
In this dark hour,
With zeal defend.

III.

The British empire, lo!
In matchless order stands,
Or moves, when bid to go,
By Guelph's supreme commands:
He sends his fleet
And France must bow,
In rev'rence low,
At George's feet.

IV.

For bribery mov'd the *wheels*
Thro' many ages past,
And each his word fulfils,
While cash and credit last.
In different ways
Your works proclaim,
You hope the same
You so much praise.

V.

Let all the "WELL-BORN" race
With "SIMPLEMEN" unite,
Three frigates cleave the seas,
And haughty Frenchmen fight:
Both sea and shore
Their tribute pay,
And still display
Our wond'rous pow'r.

VI.

Ye clergy, on this day,
On politics discourse,
And when ye rise to pray,
Both France and Frenchmen curse:
For you've a right
To pray and preach,
Exhort and teach
Mankind to fight.

Digitized by Google

According to the received acceptation of the word among the framers of the Alien and Sedition laws, the Psalm would be ample proof to con-

---

VII.

Ye funding gentry join
In Hamiltonian choir,
And all your strength combine
To blow the warlike fire;
Our debt will then
So much increase,
That when we've peace
We'll fund again.

VIII.

Ye federal judges too,
Devoutly pray for war,
You've little now to do,
In distributing law—
Nor let the *dream*
Of power and state
Make you forget
The POWER SUPREME.

IX.

Let Hartford wits proceed
To sing John Adams' praise,
And Canaan's poet's reed
Shall high his *honors* raise:
Then will the song
Join well with prayer,
And thro' the air
Waft smooth along.

X.

Let all the states attend,
At this his solemn call,
And curse their ancient FRIEND,
And bless our rulers all:
For this 's the day
That heart and hand
Thro' the whole land
For WAR we pray.

The following was attributed to the Rev. Mr. Gay, of Suffield, and if correctly so, justifies the remark of Mr Brace.—*Ed.*

(FOR THE IMPARTIAL HERALD.)

MESSRS. PRINTERS:

I observed in a late Boston Chronicle, a Psalm entitled

"*Psalm for the Federal Fast.*"

"To the tune of the 148th Psalm."

Should you insert that in the HERALD, you will oblige a customer by giving this a place in the same paper, which the democrats may sing or whistle, as they please.

FEDERAL PSALM FOR THE FAST.

Ye tribes of Ham* combine
With friends of blackest hue,
And mock the power divine
T' invoke the infernal crew,
To send their host
And aid our band
Throughout the land
To plague our coast.

The voice of discord raise,
Let JEFFERSON command,
Chant forth your Gallic praise
And curse your native land.
To France your friend
Your tribute be,
Bow, bow the knee,
And give and lend.

The horrid deeds of France
In glaring crimson blaze,
Let BUONAPARTE advance,
And each his tribute pay,
Pirates by sea,
Robbers by land,
Strengthen the hand
To enslave the free.

Deception is their trait,
And blood a sweet repast;
But CASH their first pursuit,
And HONESTY their last.
In different ways,
Ye serpents aly,
Your projects try,
And act your plays.

* "Noah denounced a curse upon Canaan, the son of Ham, that he should be a servant of servants unto his brethren: And some suppose a certain part of the human race to be the descendants of Canaan, and of course doomed to serve the rest."

Digitized by Google

vict its author of sedition, but it will puzzle the uninitiated to guess out the process by which it was made proof of blasphemy.

They contended that the proposal to set it to a tune commonly sung in the churches of the Congregationalists, and the intimation contained in the sixth stanza, that on that fast day the prayers of the federal clergy would be pregnant with anathemas against the French, proved the crime, because, as they very naturally alleged, sacred music should only be sung in devotional exercises, and prayer should invariably be employed in invocations for pardon and blessings upon both friends and foes. Hence, as they sagaciously inferred, whoever encouraged its exercise in railing and cursing, *blasphemed*. Unfortunately for the success of this argument, the satire was well designed to prevent what they alleged it would be most likely to produce. It was an effort to strip the cloak of piety from the sanctimonious hypocrites who, under the pretended guise of religion, were inflicting deeper injury on her cause than it has ever yet received at the hands of professed infidelity.

Lamentable as the fact may be, it is nevertheless true, that in the early struggles of the democracy to resist federal consolidation, and to preserve the rights reserved by the Constitution to the States and the people, they had to encounter an influence, foreign to the nature of the contest, which was thus wantonly brought into the field against them. If it was blasphemy to ridicule the federal clergy who openly appealed to religious prejudices, and reiterated from the conference

---

Let all the DEMOCRATS
And JACOBINS unite,
To break our Fed'ral band
And mar our union quite;
Their empty sound
Like wind shall cease,
And joy and peace
Will bless the ground.

Ye Atheists, mock aloud
Each precept that 's divine,
And pray that some thick cloud
Prevent the light to shine.
Your's is the right
On Milton's lake
Your bed to make
In chaos night.

Ye foot-pads, pirates, dance
To Anti-fed'ral strife,
With emigrants from France
T' extinguish Federal life,
Beasts, worms, and men,
In anarchy
Will then agree
On PEACE again.

Ye WISE, your rulers curse,
Who would defend your all;
You can do nothing worse
Than raise discordant brawl;
Your wanton dream
Of POWER and STATE
Makes you forget
The POWER SUPREME.

Let Suffield wits proclaim
The President a knave—
His works declare his fame,
He shall our country save.
Wide as he reigns
His name be sung
By every tongue
In Fed'ral strains.

Columbia's sons attend
Like patriots at his call,
Who is his country's friend,
And join your forces all—
With heart and hand
Your rights defend,
On ARMS depend,
And save our land.

Digitized by Google

room and the pulpit, that it was necessary, in order to maintain the religion of Jesus of Nazareth, to overthrow the American democracy and *Thomas Jefferson*, then the proof was ample. On the contrary it failed, if it was praiseworthy to hold up to scorn and contempt their hypocritical departures from the Christian's course of practice, as prescribed in the sacred writings, and thereby to deter them from pursuing that course of conduct whose only tendency has been to bring reproach upon religion by mixing or perhaps supplanting it with the phrenzied and corrupt errors originating in violent party strife. For the correctness of our views, we may cite the extreme care with which most pious clergymen of this day labor to keep religion free and disconnected from political controversies. It is no evidence against our position that there are exceptions to this general rule, and that we occasionally discover a political priest exerting himself to blend together, at the risk of sharing a common fate, his faith and his federalism. Society now places the proper estimate upon all such divines. The sin of blasphemy could no longer be incurred by denouncing them as "wolves in sheep clothing," nor would it be a greater offence against real religion to ridicule their pretensions to sanctity, than to affirm that of the twelve chosen disciples of our Saviour, one was found wicked enough to betray him. Such were the general views of the Hartford bar, particularly of Mr. Jonathan Brace, one of its oldest and most reputable members. He took the part of young Tappan, on the occasion, and declared that many of their clergy had deserved all that had been said of them, and that for himself he would be proud of the authorship of that *Psalm*. Accordingly, with the exception of Theodore Dwight, afterwards Secretary of the Hartford Convention, and one or two similar spirits, the charges were unanimously overruled, and he was admitted as a member of the legal profession.

Having become interested in a purchase of western lands, he removed soon after his admission to Ohio, and settled at Ravanna in the county of Portage. There was but one white person, a Mr. Honey, residing in the country at the time. A solitary log cabin in each place then marked the sites of the flourishing cities of Buffalo and Cleveland. When we look upon Ohio as the happy abode of a million and a half of contented industrious citizens, employed in all the varied occupations of trade, manufactures, and agriculture, it is difficult to reflect upon the past, and to realize that on the 10th day of June, 1799, his little party found its most populous portion a dense uncultivated forest, peopled only by savage men and wild beasts. The boldness of undertaking a journey with oxen on land, and in open boats along the banks of the uninhabited rivers and the lakes, without roads or bridges, and without means of obtaining subsistence, aside from that which they carried with them, it is now scarcely possible to appreciate; yet such was his undertaking with two or three hired men, and such the condition of the country at that period. At Gerondaquet, in

Digitized by Google

New York, he fell in with the late David Hudson, of Hudson, Ohio, who was also on his way for the purpose of forming a settlement, and he assisted him on the journey for the sake of his company. After some days of tedious navigation up the Cayahoga River, he landed at a prairie where is now the town of Boston, in the county of Summit. There he left all his goods under a tent with one K***** and his family to take care of them, and with another hired man proceeded to make out a road to Ravanna. There they built a dray, and with a yoke of oxen which had been driven from Connecticut river, and were found on his arrival, he conveyed a load of farming utensils to his settlement. Returning for a second load the tent was found abandoned and partly plundered by the Indians. He soon after learned that Hudson had enticed K***** to his own new settlement by offering him a larger quantity of land than Mr. Tappan had agreed to give him. In removing his second load of goods one of his oxen was over-heated and died, leaving him in a vast forest, distant from any habitation, without a team, and what was still worse, with but a single dollar in money. He was not depressed for an instant by these untoward circumstances. He sent one of his men through the woods with a compass to Erie, in Pennsylvania, a distance of about an hundred miles, requested from Captain Lyman, the commandant of the Fort, a loan of money. At the same time he followed himself the township lines to Youngstown, where he became acquainted with Colonel *James Hillman*, who did not hesitate to sell him an ox, on credit, at a fair price—an act of generosity which proved of great value, as the want of a team must have broken up his settlement.

The unexpected delays upon the journey and other hindrances, prevented them from raising a crop at this season, and they had, after the provisions brought with him were exhausted, to depend for meat upon their skill in hunting and purchases from the Indians, and for meal upon the scanty supplies procured from Western Pennsylvania.

Having set out with the determination to spend the winter, he erected a log-cabin into which himself and one Bixby, whom he had agreed to give an hundred acres of land on condition of settlement, moved on the first day of January, 1800, before which they had lived under a bark camp and their tent. Mr. Hudson, whom we have noticed above, also passed the winter twelve miles distant. He was a very singular character, a man of impulses, very religious and a zealous federalist. In after life he became a man of wealth, and a liberal contributor to charitable objects, and bore an excellent reputation for integrity. What exhibits him as well as anything else is the fact, that at about sixty years of age he joined a masonic society, and wrote and published in a religious paper a history of the first settlement of Portage county, in which he narrated the privations and hardships of the undertaking, giving himself considerable credit, with scarce an allusion to Mr. Tappan, and none that is recollected to Mr. Honey,

Digitized by Google

who had lived with a family in the town of Mantua a year before his arrival. Lest our notice of the Indian "*appropriation*," should do injustice to his memory, we will mention, that in 1799 he made the following atonement: "I did wrong, Squire Tappan, in inducing K****** to break his contract with you, and I now ask your forgiveness, and I hope God will forgive me."

The reply was characteristic: "You did a very roguish trick in getting K****** to leave my goods to be plundered by the Indians, and to break his contract with me. God will undoubtedly do what is right as to pardoning you; but if you mean by my pardoning you that I will take K****** back again, I shall do no such thing. You thought to get an advantage by getting him from me, and you now find a lazy, worthless fellow a burthen instead of a help. This is as it should be. You have punished yourself for your ungrateful and dishonest conduct, therefore let it rest, and let us think no more about it."

In 1800 several townships in Portage county were settled, and in June of that year two Indians and a child were shot by one Joseph McMahan and a Mr. Mann, the latter being deceived by the former, who was a drunken, bad fellow. To prevent the savages from wreaking their vengeance on the innocent settlers for this wanton act, it was necessary to do them justice. By means of the influence of Col. Hillman and others, the Indians agreed to be satisfied if McMahan was indicted for murder, and tried under our laws in the same manner as if he had taken the life of a white person. A supreme court was convened at Youngstown, for this purpose in August, and he was put on trial. The Governor attended, and with the chief of the Indian tribe sat with the Judges during the proceedings. Mr. Tappan and Mr. Temple, of Pittsburg, defended the prisoner, it was the first jury trial in northern Ohio, and his first effort before a jury. His associate thought McMahan ought to be hung, and Gov. St. Clair expressed the determination that he should be, while most of the settlers thought that, right or wrong, there would be no safety for the settlements without his execution. He differed with them on the first point, and the thought that the life of a fellow being depended mainly on the efforts of an inexperienced advocate, embarrassed him so much that he was unable, when he rose to address the jury, to pronounce the few sentences of the opening part of his argument, and which he had committed to memory. The prosecutor endeavored to aid him, and whispered, "Gentlemen, I will read you the law of the case, before commenting upon the fact." He repeated the words unconsciously after him, when his kind prompter handed him the book, and he began to read authorities; this he continued till he acquired confidence, and finally proceeded with a very able defence, and succeeded in satisfying the jury, who returned a verdict of Not Guilty. This effort gained him a high reputation with the court and bar, placing him in the foremost rank of the profession west of the Alleghanies, which rank he

Digitized by Google

has ever since maintained unimpaired for a single moment. In December of this year he visited New England, and renewed an old intimacy with Miss Nancy Wright, of Berlin, Connecticut, whom he married, and returned to Ohio in the following spring. They made this journey in a light two-horse wagon, taking with them his wife's sister, in forty-five days. This year the people began to be dissatisfied with the Territorial government, and the sentiment was universal except with the officers. The Governor had unfortunately acquired habits and appetites unsuited to his station and salary; to remedy the inconveniencies arising from the smallness of the latter, he required fees not warranted by law for almost every act he did. The year previous, the Governor had offered Mr. Tappan a justice's commission, which he refused—telling him he would not accept an office under a Federal Government which he was determined to change. Gov. St. Clair thanked him for his frankness, and when about to organize the militia, requested him to attend the meeting of the persons who had assembled to make out nominations for the militia officers. He accordingly attended, and found present most of the Territorial civil officers, all of whom had been appointed on the nomination of the Connecticut Land Company, and but some half-dozen others. He proposed to leave the nominations to be made by the people, when they assembled to elect a representative to the Assembly. To this they said they had no objection, but that Gov. St. Clair would not agree to it. He urged them to try, whereupon they appointed him a committee to wait upon the Governor and request him to adopt that course. He called upon him accordingly, and after some conversation obtained his consent, which he immediately reported to to the meeting—much to their annoyance and regret. In the succeeding fall, after full notice had been given, the people met at Warren in Ohio, to make their election of militia officers; when the Territorial officers, finding themselves outnumbered, withdrew and made out nominations privately. The democrats, however, proceeded to hold a regular meeting, and forwarded a list of nominees to the Governor, with an address which Mr. Tappan had prepared, and which had been offered and approved by the meeting, and signed by himself as secretary, and by Mr. James Kingsbury as chairman. The Governor, however, appointed the nominees which the office-holders had agreed on in their own caucus. The address was then published, and produced great political effect, laying the foundation for an organization of the present great democratic party of the State. The address was a plain-spoken, argumentative, and powerful vindication of the doctrine that governments are made for the People, and that therefore, the People's will ought not to be set at defiance, a doctrine which, it would seem from their conduct in support of the frauds lately committed by their partisans in the elections of Philadelphia and New Jersey, the Federalists are slow to appreciate now as they

Digitized by Google

were forty years ago. Neglect of it by St. Clair roused the spirits of the settlers, and induced them to make a determined effort to relieve themselves from his government. On the 4th of July, 1801, the democrats invited Mr. Tappan to address a public meeting at Durfield, and "to point out the advantages of a State government over the arbitrary sway of St. Clair." He complied, and this oration was also published and circulated throughout the Territory. Such was the effect that the Delegate was instructed in the fall by all the people, with the exception of the officers, to vote for the formation of a State government, and he engaged at the election to do as instructed; but he forfeited his pledge, and voted with the minority against calling the convention which met December, 1802, and framed the present constitution of Ohio. Mr. Tappan was a candidate for membership; but according to the Connecticut custom, voted for his opponent, and lost his own election by one vote. He was again run and returned to the Senate in 1803.

The part which he took in the legislature of 1803-4 was a prominent one, and has had an important influence upon the affairs of the State. The bill for the partition of real estate, which still remains the law of Ohio, with very few amendments; the bill establishing boards of county commissioners, which transferred from a court of justices styled, "the court of quarter sessions," the important duties discharged by the board; the bill incorporating townships; the bill organizing the militia; and the bill levying a tax on non-resident lands, with many others of importance, were drawn by him. The subject of taxing the lands of non-residents, was one of interest to his immediate constituents; and notwithstanding he drew the bill and advocated its passage until it became a law, his opponents and federal colleague after his return home secretly circulated the report that he had opposed the measure; which being unknown by him, and uncontradicted for a time, prevented his being taken up as a candidate for re-election that fall. Eventually, however, when the truth became known, it destroyed the characters of its malicious authors, and did him no further harm.

In the same year he accepted a commission as aid to Major General Elijah Wadsworth, who solicited his assistance in organizing the militia. General Wadsworth had served as a captain in Col. Sheldon's regiment of light horse during the revolutionary war, but he knew little of infantry regulations or tactics, and felt the necessity of an adviser in whom he had confidence. He was also elected a Justice of the Peace; but he served little more than a year, as he found that from charging no fees, and being obliged from necessity to entertain suitors and witnesses when attending trials before him, it was burthensome and broke in upon his practice. In 1806 he returned with his wife and spent the summer in New England. He returned himself to Camfield, Ohio, and was there visited soon after by an agent

Digitized by Google

of Colonel Aaron Burr, who labored to engage him in the expedition then fitting out at Beaver, on the Ohio. He had been under some obligation to Colonel Burr for the part he had taken in reference to his admission to the bar, but he now suspected something wrong in his operations. He endeavored to find out what it was, but he could only learn that many persons were engaged in a military expedition to the south, and that they had collected some materials and made considerable progress in enlisting men. These facts he communicated to the Secretary of War, in Washington, while on a journey which he had occasion to take to Petersburg, Virginia, in December following, and was informed by General Dearborn that Burr's proceedings were closely watched, and strongly suspected, if not fully understood. In the spring of 1809, he removed to Steubenville, whither he had been previously called on professional business, and shortly succeeded in obtaining a good practice. In the winter 1809–10 he was employed by Mr John Beaver, the proprietor of the town of Wooster, to set aside the decision of the commissioners appointed to fix the seat of justice of that county, who had established it at about three miles distance from its present site, and he accomplished the object without difficulty. The engagement, however, took him to Chilicothe during the session of the Legistature, before whom a very interesting question arose, in which he took part, and which has often been the subject of much comment and not a little misrepresentation. It grew out of this provision of the State Constitution:

"The judges of the Supreme Court, the president, and the associates of the Common Pleas, shall be appointed by a joint ballot of both Houses of the General Assembly, and shall hold their offices for the term of seven years, if so long they behave well. The judges of the Supreme Court, and the presidents of the Courts of Common Pleas, shall, at stated times, receive for their services an adequate compensation, to be fixed by law, which shall not be diminished during their continuance in office."

The period was approaching when the first term of seven years from the appointments of judges in 1803, was about to expire, and it was agitated whether the Constitution fixed a septennial term for the service of the judges, or whether each judge was entitled to serve seven years from the day of his appointment. In favor of the former construction, it was urged that the Constitution should be so construed as to give effect to every part of it, in accordance with the will and intent of its framers, provided it were possible, and that the will and intent could be fairly inferred from the language employed. It was urged that the natural import of the words supported this view, and that it was very evident that the makers of the Constitution intended to put it in the power of the Legislature to reduce the salaries of the judges at some time, should they consider it expedient. Was this power intended to operate on the whole of the judges, at the same time, when they should come into office together, or at dif-

Digitized by Google

ferent periods, as they might come into office to fill vacancies caused by death, or resignations of preceding incumbents? It was urged, that if the salaries were raised, the Constitution contemplated they should all be raised at once, whenever the necessity arose, and not periodically, and in future, as the judges in office should go out, and new ones come in, and that in no other way could that part of the instrument be carried into effect, but by the Legislature exercising the power of reducing the salaries of all the judges at the same time. On the other hand, it was contended, that the difficulty of reducing the salaries was merely imaginary, for a law could be passed, providing that the salaries of each of the judges should be reduced from and after the expiration of the respective terms for which they had been severally elected. Pending the discussion, the Democratic members of the Legislature held a private meeting to consult upon the matter. Thomas Morris, one of the judges of the Supreme Court, and Mr. Tappan, were present by invitation Edward Tiffin, speaker of the House of Representatives, took the chair. After some discussion, Mr. Tappan drew the form of a joint resolution of both Houses, declaring his opinion of the true meaning of the Constitution, and resolving to proceed on a given day to elect all the judges of the Supreme Court, which he handed to Judge Morris, who read it, and informed the meeting that it expressed what he believed to be the true meaning of the Constitution, and that any other construction would violate the instrument. On taking a vote, it was determined almost unanimously, that it should be offered in the Assembly. It was offered, and passed both Houses. New judges were accordingly elected, who quietly discharged their duties. It was, however, stigmatized as 'the sweeping resolution' and an outrage upon the Constitution; and such was the influence of the Federalists, that all subsequent elections have been held in utter disregard of the precedent thus settled in 1810.

The summer of 1811 was spent in a visit to New England on account of the ill health of Mrs. Tappan. War having broken out with England in 1812, he received by express, on the 20th of August, an order from Maj. Gen. Wadsworth giving an account of Hull's surrender at Detroit, with intelligence that the British and Indians were advancing in force down the Lake, committing great depredations, and directing him to muster the drafts in the brigade composed of Harrison and Jefferson counties, and march them with all possible despatch to Cleveland. This order was received on Sabbath morning, and notice was given to all parts of the brigade to rendezvous forthwith at Steubenville, armed and equipped for service. The men assembled, but without arms, accoutrements, or camp equipage. He went to work to provide for them by collecting arms, and employing gunsmiths in repairing them; purchasing sheet iron and setting tinners at manufacturing camp kettles; and collecting ammunition, tents, and provisions

Digitized by Google

for forty days' consumption. So diligent was he in making preparations, that on the Friday succeeding the day of receiving the order, the men were marched out of Steubenville completely armed and equipped for service. At Canton he met the militia under Gen. Beall, and immediately pushed on to Cleveland to join the Major General, leaving the troops under the command of Col. Andrews, who was ordered to move on to Mansfield—the General himself, with about 1000 men, intending to march to Sandusky by the way of the Portage, to avoid exposure on the Lake shore. The mode of supplying the troops was by contract. The contractors for furnishing subsistence were Mr. Porter, father of the present Senator of Michigan, and a Mr. Tupper, his partner and active agent. Gen. Wadsworth's command was but ill supplied, and his first care was to obtain provisions. For this purpose requisitions were made under an agreement with Mr. Tupper so that there might be no failure. They were, however, delayed on this account, and as no movement could be made in the meantime, he was ordered to exercise the men in the new system of tactics, as he was the only officer in camp who knew anything about it, the others adhering to the plan of Steuben. He was *far* from being capable of giving accurate instructions, having derived his knowledge entirely from books, which a few years previous he had studied in company with his friend and neighbor, Col. John Miller, at present a Representative in Congress from Missouri—the same officer who made the brilliant sortie from Fort Meigs, which will be recollected as the proudest incident in the defence of that Fort, and who, during the whole of the late war, was one of the best field officers, and most gallant leaders of a regiment, that the North Western army contained. In spite of the disadvantages under which Mr. Tappan labored, he went to work, and with the aid of diagrams eventually succeeded in very much improving the drill manœuvres of the troops. A deposite of provisions had been ordered to be made at the Portage, and he was directed to take a few men and select a site for the encampment; and after making out the ground to return to Jefferson county, and muster and march into service a new draft of three hundred men. In obedience to this order he selected the ground for the encampment, in doing which he was taken sick; but, notwithstanding, he returned to Steubenville, ordered out the militia, and provided them with arms and camp equipage from Pittsburg, in Pennsylvania, but he was confined to his bed with a fever and unable to march with them into camp. He had, in the capacity of aide-de-camp, prepared all the orders of the Major General, and drawn up all his despatches, so that the General found it extremely inconvenient to be deprived of his services, and sent three expresses in succession to hasten his return. As soon as he was able to sit on horseback, contrary to the advice of his physicians, who told him it would cost him his life, he was helped upon his horse, and rode sixteen miles the first day. On

Digitized by Google

his return to camp he was unable to stand when he dismounted, but being in good quarters, he recruited so much as to be able the next day to renew the journey and increase the distance.

On his arrival at Camp Avery, he found everything in confusion and excitement. Gen. Beall had been put on trial, by Court Martial, for disobedience of orders, and he was directed to assume immediately the duties of Judge Advocate and conduct the proceedings. The charges exhibited had been so imperfectly drawn up as not to present the offence which the facts would have best sustained, and he was acquitted. It was but a few days before this, that Gen. Harrison, who commanded the N. W. army, visited the camp, and having formed the troops, consisting of about 1500 inexperienced militia, into a hollow square, made a speech, telling them, among other encouraging topics, that they should eat their next Christmas dinner in *Malden*. A few days afterward, an express arrived with a letter from Gen. Harrison, which stated that there was a large quantity, supposed to be 1500 or 2000 bushels, of corn standing in the field at Maumee. As it was extremely desirable that it should be saved for the use of the army, and there was reason to fear, if immediate measures were not taken to secure it, the British and Indians would appropriate the whole to their own use, he concluded with an order to detach five hundred men to gather and secure the corn. Maj. Gen. Wadsworth promptly convened his general and field officers, and laid the letter before them. They all advised sending the detachment forthwith, when Gen. Wadsworth called for the opinion of Mr. Tappan. He said, that as General Harrison had visited the camp recently, he presumed that he was well acquainted with the material in possession of that wing of the army; and that while there he had called for, and taken with him, full returns of their arms, ammunition, and camp equipage and provisions. Gen. Wadsworth observed that such returns were made out in expectation that he would call for them, but he said nothing about such things, and the returns were not offered to him, and that he went away from the right wing of the army with as little knowledge of its military means as he had before he came there. He expressed his surprise at this, produced the returns, and laid them before the council. They proved that the means of issuing one day's rations to the 500 troops were not in camp. He stated that it was five days' march for well provided troops to Maumee, and he thought with only one day's provisions it would be impossible to march the 500 men there, and give them time to secure the corn and return, which would require at least fifteen days; so that compliance with Gen. Harrison's order was out of the question. Such was the unanimous opinion of the council, and an express was sent to Gen. Harrison, informing him of what, if he had paid any attention to his duty, he would have known before, the inability of the Major General to execute the order. In truth, the right wing of the army was at

Digitized by Google

this time strong enough to have taken Malden, if the contractor had supplied it with provisions at the different depots. As it was, the greatest exertions were necessary to keep the army from disbanding.

In December General Wadsworth gave up the command to his successor, and Mr. Tappan returned home with him, and resumed his very lucrative practice. While thus engaged, and unknown to him, he was taken up as the Democratic candidate, and on joint-ballot of the Legislature of 1815—16, elected President-judge of the fifth circuit, in which office he served the constitutional term of seven years. When his judicial term of office was about to expire he was in Columbus, attending the duties of Canal Commissioner, to which office he had been appointed in January, 1821. Jeremiah Hallack then represented Jefferson county, and was anxious to be elected President of the Common Pleas; to secure this, he proposed Mr. Tappan, a few days before the election, for the Judge of the Supreme Court, in place of Judge Pease. This Mr. Tappan opposed, assuring his Democratic friends, who were in a minority, that Hallack and his particular friends could not be depended on, and they would fail. A meeting was, however, held the evening before the election, at the instance of Hallack, in which he and his friends pledged themselves to vote for him, which would give him sixty votes, fifty-five being sufficient to elect, and the Democrats agreed to support Hallack for his station. This was reported to him, when he told them to adhere to their agreement, for he had no objection to return to the bar, but they would find that he should get just thirty-six votes (the number of Democrats) and no more—which proved true the next day. As a judge no man could have acted more impartially, or devoted himself to his duties more patiently, and he retired from the bench with the reputation of an excellent jurist and upright judge. When he went upon the bench he kept minutes of his decisions, so that in the hurry of business he might not decide questions of practice different ways. His minutes were sometimes full reports of the cases. After a while the bar requested their pub lication, and raised by subscription nearly enough to defray the expense. They were published in a book entitled "Tappan's Reports," and were well received by the profession generally.

This was the first book of Law Reports published in Ohio, and is a work which, under any circumstances, would do no discredit to a lawyer; for it exhibits evidence of a mind well informed in the learning to be derived from study, and perfectly familiar with the fundamental principles of right and wrong, and the reasons upon which those principle are founded, and which alone give them any vitality. But it is not merely as an ordinary book of reports that his work should be viewed. Unlike most reports of decisions which are made up at leisure after the ablest talents of the bar have exhausted the subject by collecting all the settled decisions relating to it, arranging them, illustrating, and presenting their immediate and remote analogies and

Digitized by Google

bearings in reference to the point at issue—this book records simply the decisions upon points of practice, and the various questions growing out of new and unexpounded legislative enactments, frequently determined without argument, or if argued, often done by men relying upon the industry and learning of the judge, without feeling the necessity of taking much trouble to investigate the origin of the statute, and to search out the former evils of the old law and explain their mischiefs, in aid of the jurist upon whom they called for a correct exposition and application of the remedy. It is simply a book of the decisions of a *nisi prius* court, composed of one judge, (as to all legal questions,) with a jurisdiction more onerous, in a professional sense, than that of any other court known to the Anglo-American system of law; for it embraces not only the whole range of Common Law, Chancery, Criminal, and Probate jurisdiction, but also Writs of Error and appeals from Magistrates, County Commissioners, the trials of Contested Elections and impeachments of minor officers in many cases, to which is superadded the duty of licensing Inn-keepers, Grocers, Auctioneers, &c.

It was under such disadvantages, in a new State, when, in 1819, good libraries and leisure to examine them were very unusual occurrences, that this work was prepared.

During his judicial term Congress chartered the Bank of the United States, and branches were established at Chilicothe and Cincinnati, which put in circulation great quantities of paper in the form of checks on the mother bank and branches. Being substantially endorsed by the Government of the United States, which was a stockholder, and compelled to receive its notes in payment of lands, revenue, and postages, this paper at once obtained, with the people of Ohio and the local banks, a credit equal to the Treasury notes of the present day. But being issued without an adequate specie basis, these checks operated as so many loans by which specie was collected from the western country to meet the emergencies growing out of the bad management of the parent establishment at Philadelphia. In another respect this species of loans, by means of Bank notes and checks, was most pernicious. The legislation which controlled the amount to be put into circulation and the manner of doing it, instead of being open, and sanctioned with all the forms and publicity of an act of Congress, was the secret work of a board of directors, or possibly of one man, at Philadelphia; and the only knowledge which the people could procure of its nature had to be derived from watching its disastrous consequences. Mr. Tappan had always denied the constitutionality of the law creating the institution; had predicted in advance the mischiefs which it finally produced; and though an uniform supporter of President Madison, pronounced him derelict in duty, and a deserter from the principles which brought him into power, for having approved the act of incorporation. The immense quan-

Digitized by Google

tity of bills issued between 1816 and 1819 being thrown out at the most convenient points, irregularly, gave a new and wild impulse to all kinds of business, and particularly to that of traders and the local banks, the latter of whom always considered themselves following a safe precedent when treading in its footsteps, although unarmed with the treasures of the nation, and unable to wield its power—and what was for them still worse, finding too late that both the nation's *wealth* and *power* were in the control of their stronger, not more honest neighbor, and could at any moment be employed to crush them. The process was simple. When pay day came round, the bills of the local banks, which had accumulated at the branch banks in receipts "to the special credit of the United States," were returned in large quantities and specie demanded to meet the wants of the mother bank; and but three of the local banks of the State—and they only from fortuitous and lucky causes—were able to endure the unnatural and nefarious ordeal. It was a struggle for life between the greater and the lesser institutions, and the wealth and power of the Union was amply sufficient to turn the scale against the latter, and designate them as the victims. The effect was sudden, and more disastrous than sudden—for industry was robbed of its hard earnings—the local paper fell from a trifling depreciation to total worthlessness, in less than four years after it—and property of the most substantial value in many instances fell in proportion of from fifteen to one. For a time after this general suspension and breaking of the banks, and the universal ruin which flowed in its train, the great engine and main instrument, which led them on in their reckless career, and finally worked their destruction, was lauded in no measured terms by all its former friends, and by not a few of its natural enemies, the Democrats. But the disclosure of its management by committees of Congress awakened the attention of the State to the truth, and in 1819—20 a law was passed, with but a few dissenting votes, authorizing the levy of a heavy tax, with the avowed object of driving the branches from the State. The tax was levied in obedience to it. The officer was, however, prosecuted in the Circuit Court, and ultimately the law was pronounced unconstitutional. The people of Ohio were nearly unanimous in the opinion, and conscientiously believed in their right to enforce the tax; yet, as the idea was encouraged that in a few years the charter would expire, when a peaceable remedy would be in their power, by resistance to its renewal, they acquiesced in the decision so far at least as to offer no direct indignity to the Court; and contented themselves with ridiculing the notion put forth by one of its members, that if Congress considered it necessary for "the general welfare" to charter a bank, they had the constitutional power to do so, and that of this necessity they had sole jurisdiction to decide. The people of Ohio very naturally replied, that if this argument was sound, the instrument was at once divested of one of the essential requisites of a law; that it could

Digitized by Google

not be an uniform, permanent, unvarying rule, at all times meaning one and the same thing; and that it was like a ball of wax, capable of receiving a new impression from each successive keeper; that the Hamiltonian Federalists, if in power, would exercise their discretion, and find a bank a necessary means to carry into effect some expressly delegated power, when it would of course be constitutional, and that a Congress of opposite opinions might decide the other way, when, by the same process of reasoning, it would be unconstitutional; and by thus reasoning, so far being a law paramount to all others. The Constitution of the United States would be no better than that beau-ideal of ancient Federalism, the unwritten Constitution of England—enabling the Federalists by carrying out the same latitudinous mode of construction to accomplish their original object of establishing a central, consolidated government.

The bill for taxing the bank was drawn by an eminent lawyer and Federalist—the late *Charles Hammond*, and submitted to Mr. Tappan before it was reported to the Assembly. He advised him to amend it in the Committee, and expressed the opinion that it contained features which were penal in their character and unequal in their operation, and which a court could not sustain; and for this once at least "*the ultra radical*" had for a time to bear, in the estimation of his Federal friends, the odium of being a little too conservative and impracticable, although he at all times strenuously maintained the right of the State to levy an uniform tax upon all property found or employed within her territorial limits—the stock of the bank not excepted; and that the taxing power was a sovereign right, and never could be presumed to be, as in fact it never had been, surrendered. A change of pieces on the political chess-board subsequently placed him in opposition to all of these over-zealous protectors of State Rights, who accused him of timidity on this most exciting question, without his having in the least varied from his original position; so that when he introduced, in the State convention which nominated the late President for the first office in the nation, a resolution declaring that the Bank of the United States was inexpedient and unconstitutional, "and that the best interests of our common country require that that institution should not be rechartered," which was passed almost by acclamation, and became the polar star of that subsequent contest in which the Democratic party rallied to the rescue under "the most remarkable man of the age," it was denounced as dangerous, uncalled for, and revolutionary in its character, and, above all, as capable of destroying the party to which he belonged by loading it with a weight under which it could never rise. He had anticipated the possibility of its bringing an unnatural weight, the weight of money, to bear in the balance, and took the proper precaution in time. As early as December, 1830, he drew up a powerful appeal to the patriotism of the President, requesting him to consent to become a second time the candidate

Digitized by Google

of the party for the Presidency—alluding to the probable questions that the contest would present, and expressing the belief that there was no other around whom in that emergency the Democracy of the Union would rally with equal confidence, and that the motives which influenced them were founded in the purest patriotism and a deep sense of public duty, in view of the expected issue. The address was signed by fifty-three members of the State Legislature, and transmitted in a letter by him on the 24th of January, 1831. It was made to one who never proved recreant to the call of his country, and who replied on the 9th of February, 1831, that notwithstanding his anxious wish to retire, and the recommendations he had made to amend the Constitution so as to give the people a direct vote in the choice of President, limiting his office to one term, he still felt it to be his duty to yield his personal wishes to what might be the voice of his countrymen. His support, however, was not the result of blind devotion to the man. Though personally friendly, and a supporter of General Jackson even before the nomination by the Legislature of Tennessee, which course he had suggested the summer previous to two of its members, Mr. Tappan had firmness enough to warn his friends who assembled at the Democratic State convention against too broad a sanction of the doctrines of the celebrated South Carolina Proclamation, telling the young men, at the expense of hazarding, and probably of defeating for a time, his election to a high office for which he was then a candidate, that it would not do to be led by their enthusiasm for a man into a departure from their established principles, and to beware how they adopted doctrines which in the mouths of popular Democrats met the cordial responses of time-worn Federalists.

It will be remembered that the late President explained, in September following, the remarks of the Proclamation which favored consolidation and made it acceptable to the Federal party.

In the spring of 1821, he accompanied his wife to Hartford, Connecticut, to obtain medical assistance for her relief from a cancer; which was removed, with some hopes of a permanent cure; but in the summer of 1822, it renewed its attack and in a few weeks carried her to the grave. He has since married a second time, and has again recently met with a similar loss, his late wife having died very suddenly on the 14th of June, 1840, of apoplexy. Shortly after the death of the former, he went on an exploring tour with Judge Geddes, of New York, by way of the waters of Black River, Chippewa Lake, the Portage, and Congress ponds, to the Cuyahoga rapids, for the purpose of ascertaining the difference between the levels of the Black River summit and those east of it, and to determine whether a canal could be made through the valley of the Cuyahoga and little Beaver Rivers, connecting Lake Erie and the Ohio above the mouth of the Muskingum. His duties as Canal Commissioner compelled him from this

Digitized by Google

time to spend a part of every winter at Columbus, until 1836; when, on his own suggestion, the Canal Board was superseded by the establishment of the Board of Public Works, and he retired from the service of the State.

The Ohio Canal, connecting the Ohio and Lake Erie with its feeders, and that part of the Miami Canal from Cincinnati to Dayton, making together over four hundred miles of internal water communication, were begun and completed during his term of service, at a cost of something more than five millions of dollars. There has scarcely been constructed, either in the United States or elsewhere, a work of similar extent and character that has added more to the credit and prosperity of the people engaged in the enterprise, and no where one that displayed equal energy and economy in those to whose capacity and faithfulness it was confided. It is not our object, however, to speak at length of these things. The beneficial result arising from the Ohio Canal cannot be stated in a few lines, and, indeed, time has not yet fully developed them. His part in the transaction was conspicuous and important throughout. He was ever ready to advise and divide responsibility with his able associates. Amid his various occupations, he found leisure also to attend to the cause of science; and drew up and procured the passage of the act incorporating the Historical and Philosophical Society of Ohio, and for several years held the highly honorable station of its presiding officer. His inaugural address, delivered in the State House on entering the office of president, was a fine production, explaining in a luminous manner the objects of its formation, and, with the first circular addressed by him to the young men of the State, very much tended to enlist public attention, and advance the laudable objects of the institution.

An admirer of nature as well as a lover of polite learning, he has found many leisure hours to devote to their study and encouragement. The western woods and the different western waters are peopled with countless varieties of the animal and vegetable creations, and the country is rich in mineral productions; while the kingdoms of birds and plants, of fishes and insects, have been left to be explored by others, he has made himself familiar with the numerous specimens of shells and fossils. The scientific periodicals of the country have received some able contributions from his pen, upon the geology and conchology of Ohio, which have added to the general science of the country, and attracted some attention from men of learning in foreign countries. Some of the fine descriptions of shells which appear in the "*Journal of Science*," accompanied by drawings, are his productions.

[CONCLUDED IN OUR NEXT NUMBER.]

Digitized by Google

Digitized by Google